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CRIMINAL VIOLATION OF THE LAWS AND CUSTOMS OF WAR IN THE TREATMENT OF PRISONERS OF WAR

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presented by Deputy Chief Prosecutor
for the USSR - Colonel U.V. Pokrovsky

Doc. Book 4 & 5

ERRATA

Page 1 Line 12 - Delete "the military plan" and insert "taking prisoners of war".

Page 2 Line 21 - After "one of them" insert "J.P.",

Page 21 Line 9 - After "prisoners" insert "by poison",

Page 38 Line 16 - Delete "receipts" and insert "excavations".

Page 50 Line 15 - Delete "Gorki" and insert "Volkov".

Pages 1-64

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CRIMINAL VIOLATION OF THE LAWS AND CUSTOMS OF WAR IN THE TREATMENT OF PRISONERS OF WAR

Deputy to Chief Prosecutor for
the USSR - Colonel U.V. Pokrovsky

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May it please the Tribunal.

Before commencing the presentation of evidence in regard to the heavy guilt of the Defendants in regard to the persons who became prisoners of war of the German army, I consider it essential to make a few brief remarks.

As early as the end of the last century, the Hague Convention of 1899 established certain rules regulating the rights and responsibilities of the belligerents in regard to prisoners of war.

In pursuance of the provisions of the Convention of 1899, a number of states drew up the necessary instructions concerning the treatment of prisoners of war. I would like to cite 3 or 4 sentances taken from such instructions:

> "The exclusive aim of the military plan is to prevent the further participation of prisoners in the war.
>
> A state may do everything necessary for the holding of prisoners, but nothing more..."
>
> "Prisoners of war may be employed to perform moderate work in conformity with their social position...
>
> In any case, such work must not be detrimental to health and must not be of a humiliating nature. It must not contribute directly to military operations against the native country of the prisoners...
>
> Prisoners of war lose their freedom but retain their rights. In other words military confinement is not an act of mercy on the part of the captor, but the right of a disarmed person."

It may surprise you to learn that the cited instructions are those issued by the German General Staff in 1902, three years after the Hague Convention.

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The principle of humane treatment of prisoners and wounded servicemen was further developed in the Hague Convention of 1907, and the Geneva Convention of 1929.

Germany's adherence to these conventions found some reflection in the German Law regarding war-time military courts. I have in mind the German Law of 17 August 1938 and, in particular, section "e", paragraphs 73 and 75 which contain direct reference to the Convention of 1929. That was at a time when Hitlerite Germany had already begun the exectuion of her aggressive plans.

As the Tribunal will remember, the 23 Article of the Hague Convention of 1907 states...

> "...it is forbidden...to kill or wound an enemy who, having laid down his arms and possessing no means of defence, has unconditionally surrendered."

It cannot be said that the brief code of the laws of war, which was, in fact, drawn up at the Hague and Geneva, encourpassed the whole range of questions related to the laws of war. The authors of these documents had, therefore, inserted the following proviso:

> "Until...the opportunity presents itself of issuing a more complete code of the laws of war, the High Contracting Parties (and I would remind the Tribunal that Germany was one of them) consider it appropriate to affirm that in cases not provided for in the rules established by them, the population and the belligerents remain safeguarded by the principles of international law insofar as these principles ensue from the customs, laws of humanity and dictates of public conscience in force between civilized nations."

I would like to emphasize that in the Annex to the Convention on the Laws and Customs of Land War (Second Conference of Peace, 1907) Article 4 of Chapter 2 concerning prisoners of war states as follows:

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"Prisoners of war remain in the custody of the enemy state and not of the individuals or troops which had captured them.

They must be treated humanely.

All their personal belongings, except arms, horses and military papers, remain in their possession."

It may, therefore, be considered definitely established that the Governments of a number of states, including Germany, had unconditionally recognized their obligation to ensure conditions under which prisoners of war should not suffer from arbitrary actions on the part of members of the armed forces of any state.

The natural conclusion presents itself, that in cases of violations of this obligation the responsibility for any crime against a prisoner of war and especially for a definite system of crimes against the dignity, person, health and life of prisoners of war, must fall on the Government of the country which had signed the Convention.

In light of the facts which I shall respectfully submit to you on the basis of irrefutable documents, Germany's solemn undertakings in regard to prisoners of war will appear to be nothing but cynical mockery of the very conception of treaties, law, culture and humanity.

I present to the Court under No. USSR-51 a Note submitted by V.M. Molotov People's Commissar of Foreign Affairs of the USSR dated 25 November 1941, concerning the outrageous atrocities committed by the German authorities against Soviet prisoners of war, and I quote several extracts from this Note:

"The Soviet Government is in possession of numerous facts testifying to the systematic

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outrages and atrocities committed by the German authorities against prisoners of war, privates and commanders of the Red Army. Lately these facts have become particularly numerous and have assumed a particularly glaring character, thereby once again revealing the German war machine and the German Government as a gang of bandits who utterly ignore all codes of international law and all laws of human ethics.

The Soviet Military Command is aware of numerous cases of the subjection of captured Red Army men, the majority of them wounded, to savage torture, ill usage and death at the hands of the German Military Command and German Military Units. Captured Red Army men are tortured with bars of red-hot iron, their eyes are gouged out, their feet, hands, fingers, ears and noses are hacked off, their stomachs ripped open, and they are tied to tanks and torn asunder. Enormities and shameful crimes of this sort are committed by German-fascist officers and men along the whole front, wherever they may be, and wherever men and commanders of the Red Army fall into their hands.

For example on the island of Khortitsa, on the Dnieper, in the Ukrainian SSR, after the German troops were forced to retreat by the Red Army, the bodies of captured Red Army men who had been tortured by the Germans were found. The prisoners hands had been cut off, their eyes gouged out, their stomachs ripped up. In the southwestern direction, in the village of Repki. . in the Ukraine, after the Germans had retreated from the positions they had occupied, the bodies of Battalion Commander Bobrov, Political Officer Pyatigorski, and two privates were found, their arms and legs had been nailed to stakes, and on their bodies five-pointed stars had been cut with red-hot knives. The faces of the dead men were cut and burnt. Near these bodies was found the body of a Red Army man whomthe Germans had captured the day before. His feet were burnt and his ears were cut off. When our units captured the village of Kholmy (Northwestern Front), the mutilated bodies of Red Army men were found. One of these had been thrown into a bonfire. This was Private Andrei Ossipov of the Razakh SSR.

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in hospitals have been bayonetted or shot by the fascist fiends on the spot. Thus, at Malaya Rudnya, in the Smolensk Region, fascist-German units captured a Soviet field hospital and shot the wounded Red Army men, and the male and female hospital attendants. Among the victims were privates Shalamov and Azimov and Lieutenant Dileyev, who were wounded and Varya Boiko, a seventeen-year-old nurse.

Those have been numerous cases of the abuse and violation of woman's honour when female hospital nurses and ambulance workers fell into the hands of the Hitlerite invaders."

There are many of the similar facts in the same Note. Then it follows: "Marauding is rife among the men and officers of the Hitler army. When the cold winter weather set in, marauding assumed a mass character, the Hitlerite robbers sticking at nothing in their quest of warm clothing. They not only strip warm clothes and boots from the dead bodies of Soviet soldiers, but divest wounded men of literally all their warm things-felt boots, boots, socks, jerseys, quilted jackets and warm caps, leaving them stark naked. They put on themselves everything even women's warm clothing taken from killed or wounded hospital nurses.

Red Army men prisoners are starved to death; they are left without food for weeks or issued infinitesimal rations of mouldy bread or rotten potatoes. Depriving the Soviet war prisoners of food, the Hitlerites compel them to rake the garbage cans for remnants of food which, the German soldiers have thrown out or, as happened in a number of camps, including the one at Malaya Korma, Byelorussian SSR, they fling the carcasses of horses over the barbed wire fence to the Soviet prisoners of war. In the Vitebsk camp, in Byelorussia, the Red Army prisoners received almost no food for four months. When a group of Red Army prisoners sent to the German Command a written request for food to keep them alive, a German officer inquired as to who wrote the statement. Five Red Army men who affirmed that they had written it, were shot forthwith.

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Similar cases of unbridled tyranny and brutality are to be observed in other camps (Shitkov, Demyan and others).

The German authorities and the German Government have established a savage regime in the camps for Soviet prisoners of war with the object of exterminating the Soviet prisoners of war en masse. The German High Command and the Ministry of Food and Agriculture, have issued a regulation establishing a food ration for Soviet prisoners of war far inferior in quantity and quality to that for prisoners of war of other countries. This ration consists of 6,000 grams of bread, and 400 grams of meat <u>per month</u>, which dooms the Soviet prisoners of war to a painful death from starvation.

While enforcing this disgraceful and obviously unlawful regime for Soviet prisoners of war with inhuman cruelty, the German Government is doing its utmost to conceal from the public the regulation it issued on this question. Thus, in reply to an inquiry made by the Soviet Government, the Swedish Government stated that the information concerning the aforesaid regulation of the German Government published in the European and American press was correct, but that the text of this regulation had not been published and was therefore not available."

The regulation which had not been available for the Swedish Government in autumn of 1941 became available for the International Military Tribunal.

I assume a very important circumstance is that these regulations were distributed in two ways; the High Command and the fascist party. Thus the extermination by starvation of the Soviet prisoners of war captured by the Germans had been planned and carried out by the German High Command and by the fascist party.

I presnet to the Court these documents which had not been available some time ago as a heavy load on the scale of the Prosecution.

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The Document No. 225-D

"High Command of
the land forces

Berlin,

6 August 1941

Chief of the armament
and commander of the
reserve forces.

Subject: Food ration of the Soviet prisoner of war.

The Soviet Union did not join the regulation regarding the regime for prisoners of war. According to that we are not obliged to supply Soviet prisoners of war by food neither equal in quantity or in quality to the requirement of the regulation. Taking into consideration the general situation the following ration for the Soviet prisoners of war were established.

The ration in the camps for the prisoners of war (for those people fulfiling not a very important work) dated by 6 July 1941:

	For 28 Days
Bread	6 Kg.
Meat	400 Gr.
Fat	440 Gr.
Sugar	600 Gr.

For the prisoners doing special work:

	For 28 Days:
Bread	9 Kg.
Meat	600 Gr.
Fat	520 Gr.
Sugar	900 Gr.

A similar regulation headed "Food ration for the Soviet prisoners of war" was sent as a secret information by the fascist party chancery on 17 December 1941.

I shall quote only one sentence from that party direction:

"An open disucssion of the question regarding the food supply of the prisoners of war orally or in publication is excluded because of the possibility of the hostile propaganda."

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The authors of the document emphasize that there is no danger of any substantial deterioration of the food supply of "our German people". I submit that the suggestion is sufficiently clear. The document was distributed to the High Command of the Army, to the Commands of Corps Areas, to military authorities in Bohemia and Moravia, to military commissioners in a number of cities.

The Nazi conspirators established particularly lows rations for men of the Red Army. On the basis of their own estimates the monthly ration for Soviet prisoners of war was 42% in regard to fats, 66% in regard to sugar and bread and 6% in regard to meat as compared with the amount of food provided for prisoners of war from other armies fighting against Germany.

Moreover there was a special note in the directive itself:

"If the ration for non - Soviet prisoners of war is reduced, the ration for Soviet prisoners of war must be lowered accordingly".

But even these starvation rations, which could not sustain the life of an adult person, more often than not existed only on paper.

I present to the Tribunal as USSR-177 a note on a conference at the Ministry of Supply under the direction of State Secretary Bakke and Ministerial Director Moritz. The document is dated November 24, 1941, 16 : 30. Among those who took part in the conference were representatives of various departments, in particular General Reineke and Ministerial Director Mansfeld. The subject under discussion was the supply of Russian prisoners of war and civilian workers. I quote:

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I. Types of Food.

Attempts to produce special bread for Russians have shown that the most useful mixture is 50%-rye brau, 20%-offal of sugar beet, 20%-cellulose flour and 10%-flour made out of straw and leaves.

Meat which usually is not used for food can never satisfy sufficiently the need for meat; Russians must, therefore, be supplied with horse meat and with meat which is little suitable for food and which is today issued in double quantities on ration cards.

The present technique of the production of fat is such that there are no longer any unsuitable fats; the Russians should, therefore, receive good edible fats."

These words of mockery can hardly pass unnoticed. Russian prisoners of war, who had been receiving "meat which usually is not used for food", were now to receive on their starvation rations only "meat which is today issued in double quantities on ration cards, and instead of fats they were to get certain substances which can be used for food only due to "the present technique of the production of fat". And these products are called "good edible fats".

The second part of the document is entitled "Rations". I quote:

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II Rations

Since there is great discrepancy between the estimates of the experts of the Reich Ministry of Health and those of the Central Medical Department of the Army concerning the necessary calory value of foodstuffs, the final determining of rations will be done in the course of the week by a narrower circle of experts. The Ministry of Supply.

III. The number of Russians whom the Reich Ministry of Supply can supply with food.

State Secretary Bakke was non-committal in answer to persistant questioning by General Reineke and Ministerial Director Mansfeld."

It seems to me useful to point out that there is on the document a note in pencil: "It is requested to clear the matter up of the rations, because State Secretary Bakke is, apparently, becoming irrational." The signature is illegible.

As the Tribunal will remember, the witness Blaha testified in reply to my questions that almost all prisoners of war who died of starvation in Dachau Camp were men of the Red Army. I shall submit evidence showing that the Dachau Camp was not an exception in that respect.

27 April 1942 People's Commissar of Foreign Affairs of the USSR was forced to submit, a new note in which it was stated:

"The Soviet Government now has at its disposal many hundreds of new documents confirming the nefarious crimes committed against Soviet war prisoners, dealt with in the Note of the Government of the USSR dated 25 November 1941.

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It has been incontrovertably established that the German Command, desiring to take revenge for the defeats inflicted on its army in the last few months, has everywhere introduced the practice of physically exterminating Soviet war prisoners.

Along the entire length of the front, from the Arctic to the Black Sea, bodies of slain Soviet war prisoners have been discovered. In almost every case these corpses bear traces of horrible torture, which preceeded murder. In dugouts from which Red Army troops have driven the Germans, in fortifications and also in populated centers are found bodies of Soviet prisoners who have been murdered after savage torture. Facts like the following recorded in affidavits signed by eye witnesses, are being uncovered with increasing frequency. On March 2 and 6, 1942, on the Crimean front, district of Hill 66,3, village of Jantora, the bodies of 9 Red Army men who had been taken prisoner were found so brutally tortured by the fascist that only 2 of the corpses could be identified. The nails had been drawn from the fingers of the tortured war prisoners, their eyes had been gouged out the right breast of one corpse had been completely cut out; there were traces of torture by fire, numerous knife wounds and broken jaws.

In Feodosia scores of bodies of tortured Azerbaijanian Red Army men were found. Among them were Ismail-Zadeh Jafarov, whose eyes had been gouged out and ears slashed off by the Hitlerites; Kuli-Zadeh Alibekow, whose arms had been dislocated by the Hitlerites; after which he had been bayonetted Corporal Ali o-ly Islom-Mahmed, whose stomach had been ripped open by the Hitlerites; Mustafa o-ly Asherov, who had been bound to a post with wire and died of his wounds in this position."

and then:

"In the village of Krasnaperovo, Smolensk region, attacking units of the Red Army found 29 stripped dead bodies of captive Red Army-men and commanders, none of whom had a single bullet wound. All the prisoners had been knifed to death. In the same district, in the village of Babaevo, the Hitlerites placed 58 captive Red Army-men and two women ambulance-workers in a haystock and then set fire to the hay.

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When the people who had been doomed to be burned to death attempted to escape from the flames, the Germans shot them.

In the village of Kuleshovka, the Germans captured 16 severely wounded men and commanders, stripped the prisoners, tore the dressings from their wounds, tormented them with hunger, stabbed them with bayonets, broke their arms, tore open their wounds and subjected them to other tortures, after which those who were still alive were locked up in a house, which was then set on fire.

In the village of Stronovo Kalinin region, the Germans locked 50 wounded captive Red Army-men in a school building and burnt them to death.

In the town of Volokolamsk the invaders forbade Red Army-men who had been locked on the 5 floor of N3/6 Proletarskaja Ulitsa to leave the house when a fire broke out. Those who attempted to leave or to jump from the windows were shot. 60 prisoners perished in the flames or were killed by bullets.

In the village of Popovka, Tula Region, the Germans drove 140 captive Red Army-men into a barn and set fire to it. 25 were perished in the flames. 6 km from Pogostye Station, Leningrad Region, the Germans who were retreating under pressure of Red Army troops, used explosive bullets to kill over 150 Soviet war prisoners after frightful beatings and savage torture. On most of the bodies the ears had been slashed off, the eyes gouged out, and the fingers chopped off while several had had one or both hands hacked off and their tongues torn out. Stars had been slashed on the backs of 3 Red Army-men. Not long before the liberation of the town of Kondrovo, Smolensk region, by units of the Red Army in December 1941, the Germans executed over 200 captive Red Army-men whom they had taken through the city, naked and barefoot, to the outskirts shooting on the spot those who were exhausted and unable to walk any further as well as those local citizens who gave them bread on their way through the city."

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In their desire to exterminate as many Soviet war prisoners as possible, the Nazi Conspirators did their best, inventing new and still new methods of exterminating people. The note states:

"Of late a number of new cases have been established in which the German Command made use of Soviet war prisoners for clearing mined fields and for other hazardous work. Thus, in the district of the villages of Bolshaja and Malaja Vloya, for four days the Germans drove scores of prisoners lined up in close ranks back and forth over a mined field, Every day several prisoners were blown to pieces by mines. Provision is made for this method of killing prisoners in the orders of the German Command. Order N 109 to the 203rd Infantry Regiment states:

"General Field Marshal Rundstedt, Commander in Chief of the Army, has ordered that with a view to sparing German blood, the search for mines and t clearing of mined fields be done, apart from the military operations by Russian prisoners. This refer to German mines as well."

The phenomenon mentioned in the previous note is regarded not only as something possible, but is proclaimed obligatory to all the soldiers of the German Army.

The Peoples' Commissar refers to the following documents issued by the German Command, stressing the fact that this looting done in wintertime doomed the Red Army men to death of cold:

"An order of the Staff of the 88th Regiment of the 34th German Infantry Division, headed "Situation with regard to Uniforms", imposed "Boots should be removed from Russian war prisoners without hesitation. "That this order is not a fortuitous one is seen from the fact that even before the perfidious attack on the USSR the German Command provided for recourse to this system ofsupplying its troops.

Among the documents of the 234th Infantry Regiment of the 56th divisio a circular was found numbered 121/4 and dated June 6, 1941, bearing the heading "On the Principles of Supply in the East". This circular state on page 8: "You must not count on being furnished clothing. Therefore it is particularly important to remove serviceable

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footwear from war prisoners and to make immediate use of all suitable clothing, underwear, socks, etc.".

As the note points out, the Germans with a view of exterminating Soviet war prisoners deprived them

"of food, condemned to slow starvation, and in some cases poisoned by food known to be tainted, Soviet authorities have in their possession Order N. 202 of the Staff of the above mentioned 88th Regiment, which states: "The carcasses of horses will serve as food for Russian war prisoners. Stations of this kind / where the carcasses of horses are dumped/ are distinguished by signs. They can be found along the highroadsin Malo-Yaroslavets and in the villages of Romanovo and Byeloussovo."

Order N. 166/41 to the 60th Motorized Infantry Division is quite outspoken in demanding the mass murder of Soviet war prisoners. This order states: "Russian soldiers and junior commander are extremely brave in battle, even small isolated units always undertaking an attack. In this connection a humane attitude towards the prisoners is impermissible. The destruction of the enemy by our fire or by cold steel must be continued intil he is rendered completely harmless...."

The Rules issued by the German Command on the treatment of Soviet war prisoners 1/3058, contain the following instructions: "At the slightest sign of insubordination energetic and direct action must be taken and arms must be used ruthlessly. Sticks, canes, and whips must not be used. Leniency, even towards an obedient and hard-working prisoner only shows weakness and must not be indulged in". (From Point 2) "At work the distance to the prisoner must always be such as to permit of immediate recourse to arms". (From Point 3).

All this proved insufficient. The Order of the High Command of the German Army dated 14/1-42, and issued in the name of Hitler as Commander-in-Chief, states: (p.2)

"All leniency or humaneness with regard to war prisoners is strictly condemned. A German soldier must always make his prisoner feel his superiority ... Every delay in resorting to arms

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against a war prisoner harbours danger. The Commander-in-Chief of the Army expects these directions will be fully carried out......"

The Soviet Government continues to receive reliable information on the condition of captive Red Army men in the German-occupied territories of the USSR, as well as in the German hinterland and in the German-occupied European countries. This information testifies to the further deterioration of the r gime instituted for captive Red Army men, and that they are particularly badly off, in comparison with the war prisoners of other countries. It further testifies to the dying of Soviet war prisoners of starvation and illness, to heinous indignities and bloody cruelty systematically applied to the Red Armymen by the Hitlerite authorities, who have long since violated the most elementary requirements of international law and human ethics. The note specially stresses the fact, that the inhuman atrocities and cruelty, perpetrated by the German-fascist gangsters against the Soviet war prisoners, exceed the atrocities of Tshingiss-Han, Batys and Mamai.

In spite of that:
the Soviet Government, true to the principles of humaneness and respect for its international obligations, has no intention, even in the given circumstances, of applying retaliatory repressive measures against German war prisoners, and continues as hitherto to observe the obligations undertaken by the Soviet Union with regard to the regime for war prisoners specified by the Hague Convention of 1907, which was likewise signed, but so wantonly violated in every one of its points, by Germany."

Later I shall quote an affidavit, written by a group of German war prisoner
The authors of the document on one hand by a series of new facts have added to the number of atrocities commited by the conspirators against the Soviet war prisoners and on the other hand they have confirmed that the Soviet Command is true to the principles of humaneness in its attitude towards the German war prisoners.

The military victory of the democratic powers revealed the innermost secrets of Hitler's archives.

Along with a large number of documents that raise the curtain on the criminal plans of the conspirators, we have also obtained a wide orrortunity of interrogating living witnesses. A whole series of questions become finally clear as the witness's depositions are being cross-checked with the documentary archives. Much new evidence has also been received by us on the subject of the crimes against the prisoners-of-war.

Some information with regard to the criminal Hitlerite practice of exterminating the Soviet prisoners-of-war, appeared as early as 27 April 1942, in the official communication of V.M. Molotov, People's Commissar of Foreign Affairs in the USSR.

I shall prove here that this crime was part of the general conspiracy and was planned in advance of the aggressive war against the Soviet Union.

The Tribunal will see that the POW regime was really a sum total of divers methods of their extermination.

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Let us turn to the testimony of the witnesses:

The former Chief-of-Staff of the OKH, Otto Halder, questioned on 31 October 1945, testified that (I quote an extract from pages 11 & 12):

> "Prior to the beginning of the offensive against Russia, the Fuehrer called a conference of all those connected with the OKH on the question of the forthcoming offensive against Russia. I do not recall the exact date of the meeting I do not know whether it took place before or after the invasion of Yougoslavia. At the meeting, the Fuehrer stated that the methods used in the war against the Russians will have to be different from those used in the war against the West".
>
> Investigating Officer: What else did he say?
>
> Witness: He said that the struggle between Russia and Germany is a struggle between races. He said that since the Russians were not signatories to the Hague Convention, the treatment of their prisoners-of-war does not have to follow the articles of the Convention".

[illegible]

[illegible]

[illegible] is [illegible]

[illegible]

[illegible] guilty

[illegible]

We must note here another fascist lie. Hitler was intentionally misrepresenting facts. That the Soviet Union pledged to follow the statutes of the Hague Convention is generally known. Even the Criminal Code of the Soviet Union provides for the defense of the rights of the prisoners-of-war, in accordance with international law, and those guilty of violations are considered criminally responsible.

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The Note of the People's Commissar for Foreign Affairs in the USSR, V.M. Molotov, of 27 April 1942, once again mentions the obligations of the Hague Convention which the Soviet Union had pledged to follow. To that Note I have already referred.

Continuing, I shall again quote from Halder's deposition concerning Hitler's speech:

"Then he said that considering the level of the Russian troops' political developement (in the original here follows dots or marks of a meaningful and intended pause), in a word he said that the so-called Commissars should not be considered prisoners-of-war".

It is impossible not to remak here that, due to superior political consciousness of the Red Army soldiers, the Hitlerites saw a Commissar or a communist in almost every prisoner of war. Then there is recorded the following question of the investigating officer and the reply to it:

"Investigating Officer: "Did the Fuehrer say anything about an order which should be issued on the subject?

Witness: "What I just said was his order. He said that he wanted it carried out even if no written order followed".

After Halder's deposition, in the document book on your table, there is an extract from the deposition of the former Deputy Chief of the Operations Section of the OKW Headquarters, General Warlimont, dated 12 November 1945. He was testifying on oath for Lt. Colonel Hinkel of the American Army. I do not intend to read the whole statement as it largely repeats Halder's deposition.

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The important thing is that he confirms in it the two facts:

1) That it was Hitler who conducted the meeting described by Halder.

2) That even before the war, Hitler directed that the prisoners-of war were to be shot; that special units were to be created for the prupose and that the SD was to follow the army.

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Warlimont further testified:

"Hitler then added that he did not expect his officers to understand his orders, the only thing required of them was unconditional obedience to his orders."

We have one more testimonial, that of the Lt. General of the German Army, Kurt von Osterreich, the former Chief of the POW Section of the Danzig Military District. He testified personally before the representatives of the Red Army on 29 December 1945. His testimonial is registered as document # USSR-151 and can be found in your document book. I shall quote a few excerpts:

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"I began my work as the Chief of the POW Section at the Headquarters of the Danzig Military District on 1 February 1941.

Prior to that I was the Commanding Officer of the 207th Infantry Division, located in France. It was towards March 1941 that I was summoned to Berlin to attend a secret meeting at the Headquarters of the Commander-in-Chief.

This conference was conducted by Lt. General Reinecke, who was Chief of POW Section at the General Staff.

More than 20 Chiefs of the District POW Sections from various regions were present at this conference, as well as several Staff officers whose names I cant just now recall.

General Reinecke told us as a great secret that for the begining of the summer 1941 there is planned a tentative invasion of the Soviet territory and that in connection with this the High Command made provisions for the necessary measures, including the creation of camps

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"for the Russian prisoners-of-war expected after the start of operqtions on the Eastern Front".

I shall omit three paragraphs and shall dwell on several details of greater importance:

"On this occasion he ordered to construct open-air camps surrounded by barbed wire, in cases where there wouldbe no time to construct roofed barracks for the Russian prisoners.

Further Reinecke gave instructions as to the treatment of the Russian prisoners-of-war, directing us to shoot without any warning those prisoners who might try to escape"....

In my opinion, the next two long paragraphs can be omitted:

"..... Sometime later I received a directive from the Headquarters of the Supreme Command confirming Reinecke's order to shoot without warning any Russian prisoners attempting to escape. I do not now recollect who signed this directive..."

The witness further testifies how he was called to a conference of the military district chiefs on POW affairs; this conference took place in Berlin, either towards the end of 1941 or the beginning of 1942. The conference was conducted by Major-General von Grebenitz. The question under discussion was what to do with those Russian prisoners-of-war who were unable to work as the result of wounds, illness or exhaustion!

I think it might be useful to quote a few lines:

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"... On the proposal of Grebenitz this question was discussed by several officers who were present, including doctors, who stated, that such war prisoners should be concentrated in one place - in the camp or hospital and killed by poisoning. As a result of this discussion Grebenitz ordered us - to murder war prisoners incapable of work, using for this purpose medical personnel of the camps".

The witness asserts that when he arrived in Ukraine in the summer 1942 on line of duty, he learnt there, as he says:

"A method of murdering Russian war prisoners is already adopted there".

The witness quotes concrete figures, concrete facts connected with this crime. It is important to note reference to this which in quoted on the forth page of the Russian text (3rd paragraph from the top):

"... When I was in the Ukraine I received from Headquarters a top-secret order signed by Himmler, directing that beginning with August 1942 Russian war prisoners must be branded with a special mark. Russian war prisoners were kept in camps under severe conditions, were poorly fed, suffered from moral debasement and died of hunger and illness".

Osterreich names facts which confirm this testimony. The following episode is revealingly characteristic. I quote the second paragraph of the fifth page:

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" In the beginning of 1942 when an echolon of Russian war prisoners was being moved from Ukraine to the city of Torn, there died approximately 75 people, the corpses of which were not taken away and were left together with the living people. About 100 war prisoners who could not bear such conditions and tried to escape were shot".

Many such and similar cases are known to the witness. He enumerates them, but I do not think it is necessary to cite all of them in the Court.

Osterreich speaks also about diredtives which provide for shooting of all political workers of Red army, communists and jews.

Such an arrangement practically opened the way for extermination of any Soviet war prisoner under the pretext that he is suspected of belonging to Communist party or if he resembled a Jew.

In addition to testimonies of Osterreich it is necessary to quote a phrase mentioned, as I believe by the Commander in Chief General Fieldmarshal von Reichenau in "The conduct army in the East".

" Supplying peaceful population and the war prisoners with food is an unnecessary act of humanness".

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I submit to the Military Tribunal this despicable directive of Hitler's Field-Marshal and request to accept it as evidende. The document is registered under # USSR-12.

Three of Hitler's important officers have confirmed that already at the beginning of the war the question of extermination of Soviet war prisoners was settled during a special conference. They differ slightly in details, but this fact is established quite definitely.

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That sentence whidh I quoted from the directive of Field-Marshal Reichenau confirms also, that even the supply of food to the soldiers of the Red Army, which were taken prisoners by the Germans, was considered as "unnecessary humanness". Jul 13 Mar 351 8

Perhaps it is useful to produce to you the document No. 884-PS. It bears the signature of Varlimont and postscript of Jodl. The document was prepared at the Fuehrer's Headquarters 12 May 1941. It said that "OKH proposed a draft of directive in connection with dealings with responsible political workers and similar persons."

The draft foresaw "the removal" of persons of this category. The decision on the question whether the war prisoner falls under the indication which require the decision about "removal" must be taken by the officer. The document states:

"Officer who has the right to impose disciplinary punishment".

Thus any junior officer received the right of life and death with regard to any Red Army soldier, taken as a war prisoner, regardless of his service or rank.

Item 3 of this document states:

> "Political commissars of the army are not recognized as prisoners of war, and are to be liquidated,at the latest,in the transcient prisoner of war camps. No deportation to the rear areas."

The defendant Jodl made the following postscript characteristic of him:

> One must consider the possibility of retaliation against German airmen. Therefore it is better to represent all these measures as retaliation."

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General Osterreich's testimony concerning the existence of the order to brand the Soviet prisoners of war is fully confirmed. I submit to the tribunal in evidence under No. U.R.R.S. 15 order No. 14.802/42 testifying to the fact of that order having been given by the Chief of the Gendarmeria of the Vice-Governor in the region of Styria. The order testifies that the notice of this chief of the Gendarmeria was made public. In the first paragraph of this order we read :

"The Soviet prisoners are to be branded with a special permanent mark.

2. The brand is to take the shape of an acute angle of about 45°,long side to be one cm, in length, pointing upwards and burnt on the left buttock at a distance of a palm of the hand from the rectum. This brand is made with the aid of a lancet available in any military unit. The colouring used is chinese ink.

The 3rd Paragraph underlines that :

"Branding is not a sanitary precaution."

It is mentioned in Pragraph 5 that all Soviet prisoners of war have to undergo branding including all newly arrived prisoners entering the regions of the Baltic States, the Ukraine and the provinces of the Governor General, commanded by the German Military Forces, as well as all other prisoners of war pertaining to the O.K.H. up to 30/IX.1942/. The same directive was given to the Presidents of the Regional Labour Administration and the Reichsleiter for labour administration.

In this document, under No. 1191-PS, it is stated that the order of the OKW, dated 10.VII.42, was brought to the attention of Presidents of Regional Labour Administration and Reich's Plenipotentiaries for Labor.

Our documents, numbered USSR Exhibits 121, 222 and 123 - excerpts taken from orders issued by German military authorities, such as regimental and divisional commanders, confirm that the Prisoners of War "in order to spare German blood" were forced to clear mine fields and carry on work which endangered their lives. Order No. 16641 of the 60th German Infantry Division states, in explanation of the inhuman treatment meted out to the Soviet warriors:

"The Russian soldiers and the junior commanders are very brave in battle. Even small individual units are always ready to resist attack. For that reason it is impossible to treat their Prisoners Of War humanely."

As evidence in support of USSR Exhibit No. 124, I submit an extract from this order, captured in December 1941 by Red Army units on the Southern front.

It appears to me an unprecedented event in history that instead of respecting an enemy for his military courage, instead of responding to his splendid valor, the senior officers of the Hitler Army ordered their subordinates to treat this enemy pitilessly and inhumanly.

(USA 352)

In the document submitted to you as No. 3257-PS, there is a sentence directly relating to this subject. It has not so far been read.

Document 3257-PS is a secret report of the Armament Inspector in the Ukraine, addressed to the Munitions Section Chief of the OKW. It states;

"Living conditions, the food and clothing situation and the health conditions of the Prisoners of War are unsatisfactory. Mortality is very great. It can be expected that by the ten and by the hundred thousand people will perish this Winter

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The chief camp and factory physician having inspected the camp on Negerat street in a top secret medical report of 2 September 1944 informed the medical department of the central administration of camps as follows:

"The prisoners of war camp in Negerat street is in a terrible condition. The men live in kennels, in old stoves and self made huts. There is hardly any food. Krupp is responsible for the food supply. Medecine and bandages were so scarce that in many cases medical treatment was impossible. These deficiencies are to be imputed to the permanent camp". (USSR. 350) Tab. 13

This document bears the number R/d/339. I hereby offer it in evidence.

In the files of the defendant Rosenberg was found among other documents the one which has been given the number 081-PS. (USSR 353) As far as we can understand, it is a letter from Rosenberg to Keitel of 28 February 1942 concerning the question of prisoners of war. The copy found in Rosenberg's files is unsigned, but there is no doubt that such a letter was either sent to Keitel or prepared to be sent to the Chief of the armed forces. Tab. 13

The letter states that "the fate of the Soviet war prisoners in Germany - is a tragedy on an enormons scale".

I now will read into the record the second sentence of the fifth paragraph of the Russian text:

"Out of 3.600.000 of prisoners of war we have at present only a few hundred thousand men capable of work. The greatest part died of hunger or from the effects of inclement weather. Thousands died of typhus".

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The author of the letter says, that on the part of the population there were attempts to get foodstaff to the prisoners, but

"In most cases the camp-commanders prohibited the citizens to give food to the prisoners of war, who were doomed to starvation. More than that, in many cases those prisoners, who were not strong enough to march as a result at starvation and exhaustion were shot in front of the terrified citizens and their corpses were not taken care of. In a great many camps no consideration was given to the dwellings of the prisoners. In rains and snow that had to stay out of doors, lying under the open sky. There were not even provided with tools for digging holes or pits in the ground. Neithe. the camps nor the prisoner were, evidently, sistematically desinfected. Statements could be heard like " the more deaths among the prisoners, the better for us."

There is no reason for suspecting the author of the letter in delibarate overcolouring or in having any sympathies for the Soviet people.On the contrary, there is every reason to state, that the matters has not been fully thrown light on. This document, adressed by one of the defendants to another gives us the possibility to imagine the facts that took place in the camps assigned for the Soviet prisoners of war.

I started presenting to your documents of the German origin having a definite aim before me. After you were informed at the actitude of the hitlerites towards the Soviet prisoners and as soon as you however briefly learned of the way the camps for the Soviet prisoners were kept in as told by the hitlerites themselves, it is easier for you to value the strength of the evidence the documents of the non-German oripin present.

I apply to"the announcement of the extraordinary State Commission

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for the investigation of atrocities committed by the German-fascist invaders in Smolensk and in the Smolensk region." A great part of this announcement is dedicated to the mass executions of the prisoners of war by the Germans. I would like to quote extracts of this document presented to you as USSR-56 (page 6, paragraph 4 from above).

Exh. 13

"The German-fashist invaders systematically exterminated the wounded and imprisoned Soviet citizens. Physicians A.N. Smyrnov, A.N. Glasunov, A.M. Demidov, A.S. Pogrebnov and others, who were prisoners in a camp, stated, that on the way from Vasma to Smolensk the hitlerites shot several thousands of people.

In autumn 1941 the occupants drove a party of prisoners of war from Vasma to Smolensk. A great number of the men were not able to walk as a result of continuous beating and exhaustion. When the citizens attempted to give a piece of bread to some of the prisoners, the German soldiers pushed them off, beat the Soviet people with canes and butts and shot them on the Bolshaya Sovetskaya street, on the roads Roslavskoye and Kievskoye the fascist scoundrels opened a disorderly fire at a column of prisoners of war. The prisoners attempted to escape, but the soldiers overtook them and shot at them. In that way nearly 5000 Soviet people were executed. The corpses were left in the streets for several days."

It is not difficult to observe, that this extract fully agrees with document No. 081-PS, which had been just now presented.and but complets this document with information based on fact.

On same page six,two lines lower, it says:

"The German military authorities exterminated the prisoners of war. On the way to Smolensk and especially at the camp the prisoners perished by tens and hundreds . In the camp for prisoners of war No. 126 the Soviet people were subjected to exterminations, sick people were ordered to do hard work, no medical help was rendered. The prisoners in the camp were tortured, made to do work beyond their strength, shot. From

starvation-torments, typhys and dysentery epidemics, feezing, exhausting work and bloody terror about 150 - 200 men died daily. Over 60,000 of citizens and prisoners of war were destroyed in the camp by the German-fascist invaders. The facts of the extermination of the imprisoned commanders and warriors of the Red Army and of the citizen population were confirmed by the testimonies of physitians, who had been imprisoned in that camp: A.N. Smyrnow, V.A.Hmyrov, A.S. Pogrebnov, P.N. Erpylov, A.M. Demidov, nurses T.S.Shubina, A.G. Lenkovskaya and several Red Army men and Smolensk citizens.

Thousands of prisoners were shot in the camp under the direction of Sonderfuehrer Eduard Gyss.

Corporal Gatlyn brutally avenged himself on prisoners. Being aware of it, they tried not to come before his eyes. So Gatlyn put on a Red Army man's clothes, mixed into the crowd, and, having chosen himself a victim, beat him nearly to death.

Private Rudolf Radtke, the former wrestler of a circus in Germany prepared himself a lash made out of aluminium wire for the purpose of exterminating the prisoners. On sundays he would come to the camp drunk, threw himself at the first prisoner, torture him and kill him.

At the electric station in Smolensk the fascists made sick exhausted and worn-out Soviet people work. Facts were not rare, when prisoners, pined with hunger and work beyond their strength broke down and fell; they were immediately shot by Sonderfuehrer Szepalsky, Sonderfuehrer Bram, Hofman Meuser, Sonderfuehrer Wagner.

There was a hospital for prisoners-of-war in Smolensk; Soviet physicians, who worked at that hospital, stated: "Up to July 1942 the patients had to lie on the floor without having their wounds dressed. Their clothes and bedding were covered not only with dirt, but pus too. The rooms they were kept in were not heated and in the corridors the floor was covered with an icy crust".

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H5150 – 0033

A report of a medico-judicial examination is appendct the announcement of the extraordinary State Commission. Experts as the member of the extraordinary Commission academician Burdeno, chief medico-judicial expert of the People's Commissariat care of Public Health doctor Prosorovsky, professor of forensic medicine of the 2nd Moscow Medical Institute doctor of medical Sciencies Smolaninow and other specialists have from the first till the sixteenth October 1943 executed numerous exhumations and medico-jucicial explorations of the corpses in the town of Smolensk and its suburbs. Numerous pit-graves were opened, which contained the corpses of those killed during the German-fashist invasion. The number of corpses founds in those pit-graves varies from 500 to 4500 in every place where mass executions took place.

I shall quote only those extracts from the investigation which have a direct relation to my general subject.

On page 9 of document No. USSR-56 in the last part of the last paragraph it says:

"The corpses found in the pits were for the most part naked, some were worn-out underwear, only few still maintained clothes or military uniforms".

On page 10 second paragraph it says:

"Document certifying identity have been found in 16 cases only (3 passports, one Red army man identification and 12 military medallions) In several cases only parts of preserved clothing and tatoo could be adopted in order to prove the identity of the deceased."

Those circumstances assertain that the Germans endeavoured to make the identification of their victims impossible as it was the order according to special German directives. The first paragraph on page 11 says:

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"The dissection of corpses taken out of the graves situated on the territory of the big and the small concentrations camps works No. 35, the former German hospital for prisoners of war, a saw-mill works, concentration camp near village Pecherskaya and village Rakytna has shown, that in the overwhelming majority of cases taking into conside-ration the results of inquiry death was caused by starvation and acute infection illnesses. The fact that death was caused by starvation can be objectively proved besides the complete lack of hypodermic fat cel-lular tissue found as a result of dissection by discovering in a number of cases grassy masses, pieces of rough leaves and stems of plants in the stomach cavity."

The fourth paragraph on the same page points out:

"A significant number of opened pitgraves (87) with masses of corpses in them taking into consideration the different time of the burial relating to the second half of 1941, 1942 and 1943 testify of a systematical dectruction of the Soviet people. In a large majority men were subjected to those destructions, mostly at the very blooming age from 20 to 40 years."

Somewhat lower on the same page it says:

"Special attention should be given to the fact that the dissec-ted corpses regularly lack foot-wear (but for extremely rare excepti-ons), clothing, too, is absent as a rule or consists of worn-out un-derwear or separate particle of old coat. A conclusion can be naturally drawn out of those facts that the removal of clothes and foot-wear pre-senting some value has become a constant legalized process preceding the execution of the Soviet citizens."

Further the investigation of the Commission deals with the destruction of people, including shootings, asphyxiation and so on. All this has nothing new in it and I see no nessesity for reading here that very part of the in-vestigation.

Fol. 13

In our document, USSR Exhibit-6 s there were quoted the records of the medico-judicial committees and the conclusion of the Medical Expert Committee. We find them on pp. 9, 10, 11, and 12 of the document. I shall briefly report on the contents of the protocols and quote a few words of the conclusion. In the protocols it is said that in the town of Ravva-Russkaya, 52 kilometrers northeast of Lvov, Hitlerites set up a big camp for prisoners-of-war. In this concentration camp there were imprisoned and exterminated a great number of Soviet and French prisoners-of-war. They were shot, they died of infectious diseases, and of starvation. The committee of the medico-judicial experts exhumed a number of bodies from the large graves. Some of the graves were disguised by means of green shrubbery and grass. In the graves there was discovered a substantial number of corpses wearing military and semi-military uniforms. Some of the corpses had in their clothing identification discs of members of the Red Army. The age of the prisoners whose bodies were exhumed from the graves, ranged from 20 to 40 years.

Quoting from the conclusions of the committee:

"The investigation data bearing on the bodies exhumed from the graves give us a right to conclude that in the afore-mentioned graves there were buried corpses of the Soviet prisoners-of-war. The burial was of a mass chracter. The bodies were placed (in the graves which were 7 by 4 meteres in size) in layers, one layer upon another, from 350 to 400 bodies to a grave. They were buried wearing the same clothing which they had on at the time of death. The absence of footwear would indicate that either it was taken off at the time of death or else that the prisoners were kept in confinement bootless. The conditions of imprisonment must have been extremely unsanitary as signs of vermin were found in all clothing. To judge by the state of the clothes, death must have taken place during the cold season. In spite of this fact, practically no warm clothing is found on any of the bodies. Instead, evidently to escape the cold, the corpses were foun wearing two or three sets of their summer uniforms, towels, bits of sackcloth, etc."

I am omitting a few sentences and want to quote from that part of the conclusions which deals with the number of discovered corpses:

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"The number (36) and the size of the graves as well as the number of bodies exhumed, give basis for a conclusion that from then to twelve thousand corpses of the Soviet prisoners-of-war were buried in the given territory. The degree of the decomposition points to the fact that the corpses have been underground about three years, in other words, the time of their burial must be placed around late autumn or winter of 1941-1942."

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H5150 - 0037

A special section of the report of the Extraordinary State Commission for the Determination and Investigation of the Crimes Committed by the German Fascist Invaders in the City and the Region of Orel (which I submit to the Tribunal as USSR Exhibit No. 46) describes the mass extermination of the prisoners of war conducted over a long period time.

Feb. 13

The prisoner-of-war camp was set up in the city jail of Orel. Affter the Hitlerite aggressors had been driven away from the city of Orel, the Extraordinary Commission had an opportunity of procuring the testimony of doctors who had been in this camp and who by chance survived. There are included in this report personal observations of the member of the Extraordinary State Committee, Academician Burdenko, who personally examined persons liberated by the Red Army from this camp and from the so-called prison "hospital". The general conclusion which can be derived, is that in the city camp of Orel, as well as in the other camps, Hitlerites carried out physical extermination of the Soviet people with the methodical routine so characteristic of the Germans.

The prisoners received 200 grams of bread and a litre of soup, made of rotten soya beans and stale flour. Bread was baked with the admixture of sawdust. The camp administration, including the doctors, treated prisoners in the most atrocious way.

I want to quote a few excerpts from the report of the Commission. I shall begin with the fifth paragraph on page 2:

"The camp commander, Major Hoffmann, beat prisoners and forced the hunger-exhausted persons tu unload shell and do hard manual labor in the stone quarries. The boots and leather shoes were taken away from the prisoners and wooden shoes given them instead. In the winter, the wooden shoes became slippery and the prisoners of war often slipped and crippled themselves in walking, especially when going up or down the stairs.

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Dr. H. I. Tsvetkov, who had been an inmate of the prisoners'-of-war camp, testified as follows:

"I can describe the attitude of the German Command toward the prisoners-of-war during my stay in the Orel Camp as one of deliberate extermination of manpower. The food ration which at the most equalled 700 calories, was all they had under conditions of hard work, usually beyond the prisoner's strength and led to complete exhaustion of the organism (Cachexia) and to death...

"In spite of our protests and struggle against this mass murder of Soviet people, the German camp doctors Kuper and Beckel, asserted that the food was completely satisfactory. Moreover, they denied that the edemata or the hunger edema shown by many of the prisoners, was caused by starvation, and ascribed the condition entirely to heart or kidney troubles. The mortality in camp assumed mass proportions. Of the total number of murdered men, three thousand died of starvation and of complications produced by malnutrition.

The prisoners lived under conditions so horrible that they almost defy description. Fuel and water were completely lacking; everything was vermin-infested, the prison wards were unbelievably overcrowded; 50 to 80 people being crammed into a ward 15 to 20 square meters large. Prisoners would die five or six in each ward and the living would sleep on the dead."

It is further said that a particularly horrible regime existed for those who were placed in the category of the "recalcitrants". They were put into a special building, named the "death block". The inmates of this block were shot on schedule, five to six persons being taken every Tuesday and Friday. During the shootings among other persons, the German physician Kuper was also present.

Academician Burdenko ascertained that in the so-called "hospital" people were exterminated in the same manner as in the rest of the camp. In next to the last paragraph on the third page we read:

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"The scenes which I had to witness defy imagination. My joy at the sight of the liberated people was marred by the fact that their faces bore expressions of stupor. This made me think - what is the matter here? Evidently the sufferings they had undergone erased the distinction between life and death from their minds.

I observed these people for three days, bandaged their wounds while evacuating them, but the psychological stupor remained. Something similar could also be seen on the faces of the doctors during the first days.

People preished in the camp from disease, starvation, beatings, in the so-called "hospital" they died of wound infections, of sepsis, and of hunger".

On 2 May, 1945, there was captured in Berlin the member of the SS, Paul-Ludwig*Gottlieb Waldmann. He was born 17 October, 1914, in Berlin in a shop-keeper's family of Ludwig Waldmann. As far as he knew, up to the time of his capture, his mother was living in the city of Braunschweig, Donnerburweg 60.

He gave his personal testimony regarding the facts of mass extermination of the Soviet prisoners-of-war which were known to him. He witnessed these exterminations, working as a driver in different camps and he himself participated in them. His testimony is on page 9 of the USSR Exhibit No. 52 entitled "Camp Auschwitz". It provides particularly detailed information on the executions in Camp Saxenhausen. Fol. 13

Toward the end of summer 1941 the Sondercommando of the Security Police located in this camp for a month daily exterminated Russian prisoners-of-war. He testifies that:

"The Russian prisoners-of-war had to walk about 1 kilometer from the station to the camp. In the camp they stayed one night without food. The next night they were led to be executed. The prisoners were constantly driven from the inner camp on 3 trucks one of which was driven by me. The inner camp was approximately one and three-fourths kilometers from the execution grounds. The execution itself took place in the barrack which had recently been constructed for the purpose.

One chamber was intended for undressing, another for waiting; in the chamber there was a radio which played quite loud. It was done purposely so that the prisoners should not guess that death awaited them. From the second chamber they went one by one through a passage into a small fenced-in building where on the floor there was an iron grill. Under the latter there was a drain. As soon as the prisoner-of-war was killed, the corpse was carried out by two German prisoners while the grill was cleaned of blood.
In this small room there was a slot in the wall, approximately 50 cms in length. The prisoner-of-war stood with the back of his head against the slot and a sniper who was behind the slot, shot at him. This arrangement did not prove to be satisfactory as the sniper often missed his shot. After eight days a new arrangement was made. As before, the prisoner was placed against the wall; then on his head there was slowly lowered an iron bar. The prisoner was under the impression that his height was being measured. In the iron bar there was a spring driver pin which suddenly came out and hit the prisoner on the head. He fell dead. The iron bar was controlled by means of an iron foot lever which was in the corner of the room. The personnel that worked in the room belonged to the above-mentioned Sonderkommando.

At the request of the officials of the execution squard, I was also obliged to work this apparatus. I shall speak about this later. The prisoners-of-war killed in this manner were burnt in four travelling crematoriums which were transported on trailers. I had to ride constantly from the inner camp to the execution court. I usually had to make ten trips a night with ten minutes' intervals between them. It was during these intervals that I witnessed the executions."

There is a long way from these individual murders to the death factories of Tremblinck, Dachau, and Oswienzim, but it leads in the same direction and to the same results.

H5150 - 0040

H5150 - 0041

The methods and the scale of killings varied. Hitlerites endeavoured to find new methods of rapid extermination of great masses of human beings. Much time was spent in solving this problem. They began to carry it out already before their attack on the Soviet Union, by the invention of different devices and instruments for murder. The victims of Hitlerites executioners were peaceful citizens as well as prisoners-of-war.

Fd. 13 WWR. 7

I present to the Tribunal the report of the Extraordinary Commission on the German atrocities in the Lithuanian Soviet Socialist Republic. Here, as well as in other places, mass extermination of Soviet prisoners-of-war was a part of the monstrous plan of the fascist aggressors. I shall quote a few sentences from page 6 of thos document. In your copy they are marked with a pencil:

"In Kaunas, in the Fort #6, there was a camp #336 for the Soviet war prisoners. The prisoners in the camp were subjected to insults and torture, in accordance with the unhuman "directions to the guards and soldiers convoying labor units". The war prisoners of Fort #6 were doomed to mal nutrition and starvation"...

"The witness Medishevskaja made the following deposition to the Commission: 'the war prisoners were terribly starved; I saw them pick up grass and eat it".

I omit a few sentences and read on:

"At the entrance of the camp #336 there still exists a board with the following inscription in German, Lithuanian and Russian: 'All those who come into contact with war prisoners, especially the who give them food, cigarettes or civilian clothes - will be shot!

In the camp of Fort #6 there was a "lazaret" for war prisoners, which practically served as a transfer point from the camp to the grave. The war prisoners thrown into this "lazaret" were dommed to die.

H5150 - 0042

According to the German statistics of sickness among the prisoners of war in Fort #6, the number of the deceased Soviet prisoners reached 13.936 for a period of eleven months only, from September 1941 to July 1942..."

I shall omit the reading of the whole list of exhumated graves, and I just quote the line which gives the general summary:

"Altogether, 35.000 prisonersof war were, according to the camp documents, buried here".

Besides the camp #336, in the same town of Kaunas, there existed another camp which had no number on the south-western border of the airfield. The report concerning this camp states:

"The same methods, as in Fort #6, that is starvation, whip and clubs, ruled in this camp. The exhausted war prisoners unable to move were ... carried outside the camp each day, placed alive in the pits prepared beforehand and covered with earth."

The last three lines of the left column on page 6 state as follows:

"On the basis of the receipts, documents and testimonials of the witnesses the Commission established that here, close to the airfield, 10,000 Soviet prisoners tortured to death were buried".

The report mentions one more camp, #133, near the town of Alitus and several other camps, which were set up in July 1941 and existed up to April 1943. The prisoners in these camps froze to death. When the prisoners were unloaded from the railway cars, those of them who were unable to walk were shot. The prisoners were tortured until they xx lost consciousness, they were hanged on chains by their feet, then taken down, brought back to life by means of cold water, and then hanged again. Giving the total of all the exterminated, the Commission reports:

"It has been established that no less than 165,000 Soviet war prisoners were executed by Germans in the above-mentioned camps of the Lithuanian SSR."

H5150 - 0043

The extermination of Soviet prisoners-of-war was carried out in all the camps. Thousands of Soviet soldiers perished in the extermination camp of Majdanek. The second paragraph of page 5 of the joint Polish & Soviet communique of the Extraordinary Commission, which is presented to you as document # USSR-29, states that: Feb. 13

"the sanguinary history of this camp begins with the mass shooting of the Soviet prisoners of war, carried out by the SS in November and December 1941. Out of a party of 2,000 of Soviet war prisoners 80 men only remained alive, all the rest were shot and a few were tortured to death.

Between January and April 1942, new transports of Soviet war prisoners were brought into the camp and shot. Nedzeliak Jan, who worked in the camp as a lorry driver, testified:

"About 5,000 Russian war prisoners were thus annihilated by the Germans during the winter of 1942; they were taken from their barracks in trucks and driven to the pits of a former stone quarry where they were shot".

The prisoners of war of the former Polish Army, captured as early as 1939, and imprisoned in different German camps, had already in 1940 been concentrated in the Lublin camp on the Lipovaya street, and soon after were transferred in parties to the extermination camp of Majdanek, where they suffered the same fate: systematic torture, murder, mass shooting, hanging, etc...

The witness Reznik testified as follows:

"In January 1941, I was with a party of over 4,000 Jew war prisoners who were put into railway cars and sent to the East... We were brought to Lublin, where we were unloaded and given over to the SS. Towards September or October 1942, it was decided that only those people who were skilled workers and were thus needed in town, were to be left in the camp on Lipovaya street #7, while all the rest, and I among them, were transferred to the camp of Majdanek. All of us

H5150 - 0044

already knew, far too well, that to be sent to Majdanek meant death. Out of the party of more than 4,000 war prisoners, only a few individuals, who managed to escape whilst engaged in the work outside the camp, remained alive.

In the summer of 1943, 300 Soviet officers, including 2 colonels, 4 majors, and the rest in the ranks of captains and senior lieutenants, were brought to the camp of Majdanek. All of them were shot there".

Huge camps for the extermination of the Soviet war prisoners had been organized by German fascists on the territory of the Latvian Soviet Socialist Republic. The report of the Extraordinary State Commission for the investigation of the crimes committed by the German invaders on the territory of this republic (we present to the Tribunal this report as document #USSR-41) contains the following information on the annihilation of 327,000 Soviet prisoners-of-war.

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I quote from page 7, from the right column of the above mentioned report:

"The German organized a camp in Riga for Soviet war prisoners in the former barracks on the Pernovski and Rudolf streets, calling it "Stalag 350", which existed from July 1941 to October 1944. The Soviet war prisoners lived there under unhuman conditions. The building, where they were lodged, had no windows and no heating. In spite of hard labor from 12 to 14 hours daily, their rations consisted only of 150-200 gramms of bread and the so-called "gross" soup made with rotten potatoes, leaves of trees and other garbage.

In my opinion, it is necessary to emphasize the monotony of the rations given to the prisoners-of-war. Evidence given by the witnesses coincides fully with the "official directive" on the quantities of food allotted to the prisoners-of-war, which I have already submitted to the Tribunal.

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" A Former Prisoner of War, P.F. Yakovenko, formerly detained in "Stalag 350" testified:

" We were given 180 grammes of bread, half of it sawdust and straw, one litre of saltless soup made of rotten, unpeeled potatoes. We slept on the bare ground and were eaten by lice. As a result of starvation, cold, beatings, typhus and shootings, between December 1941 to May 1942,30 thousand prisoners of war perished in the camp. The Germans daily shot prisoners of war who, owing to weakness or illness, were unable to go to work, they mocked them and beat them without provocation".

G.B. Novitzkiss who had worked as a senior sister at the Hospital for Soviet Prisoners of War in # 1 Gymnastitcheskaya street, stated that she had repeatedly seen patients eat grass and tree-leaves in order to quell the pangs of hunger.

" In branches of Stalag 350, on the territory of the former brewery and in the Panzer barracks more than 19 thousand persons perished, between September 1941 and April 1942 alone of starvation, tortures and epidemics. The Germans also shot wounded prisoners of war. Soviet prisoners of war perished also en route to the camp, becouse the Germans left them without food or water".

The female witness A.V, Taukuliss testified:

" In the Autumn 1941 there arrived at the station of Salasrils a transport of Soviet Prisoners of war consisting of 50-60 wagons. When the wagons were opened, the stench of corpses could be smelt a long distance away. Half of the men were dead, many were dying. Men who could climb out of the wagons dashed towards water, but the guards opened fire and shot several dozen of them".

I shall not enumerate other facts which took place in "Stalag 350", but will only make public the concluding sentence, which refers to this camp:

" In Stalag 350 and in its branches the Germans tortured to death and shot 130 thousand Soviet Prisoners of War".

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On the left-hand side of page 8 we read :

"In Daugavpilis (Dvinsk) there was a camp for Soviet Prisoners of war – "Stalag 340", known amongst the camp inmates and the town's inhabitants as a"death-camp", where, in three years, more than 124 thousand Soviet prisoners of war perished from starvation, tortures and shootings.

The vengeance wreaked on the prisoners of war by the German executioners usually began on the way to the camp. In the summer, prisoners of war were usually transported in tightly closed wagons, in winter – in open wagons and on platform-trucks. Men perished in masses from thirst and hunger. In the summer they were suffocated in the heat, in the winter – they froze.

Witness T.K. Ussenko stated :

" In November 1941, I was on duty at the station of Most as a signalman and I saw a transport moved in to the "217 Kilometre" sidings, consisting of more than 30 wagons. In the wagons not a single living man was discovered No fewer than 1.500 dead were unloaded from this transport. They all wore nothing but underclothes. The corpses remained lying near the railway track for about a week."

The hospital attached to the camp was also given the task of exterminating of prisoners of war. A worker at the hospital, witness V.A.Efimova, told the Commission :

"It seldom happened that any one left the hospital alive. Attached to the hospital there were five groups of prisoner of war – grave diggers who carried the dead in a handcart to a cemetary. It happened frequently that a still living man was thrown into the cart, and on top another 6-7 bodies of dead or shot people were loaded. The living were buried together with the dead; the sick, tossing in delirium, were killed at the hospital with sticks."

When an epidemic broke out at the camp, the Hitlerites drove to the aerodrome everybody from the hut where typhus-stricken men were discovered, and shot them. About 45.000 Soviet prisoners of war were exterminated thus.

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Terrible facts are quoted in the documents of the Extraordinary State Commission which investigated the crimes of the German-fascits usurpers in the neighbourhood of the cities of Sevastopol, Kerch at the health-resort of Toberda. I shall read separate data from our No.63 /5/. Attached to Sevastopol prison, the German Fascist Command had organised a hospital for the sick and wounded prisoners of war. I shall quote several sentences:

"At the time the hospital was organised, the sick and wounded were, for 5 or 6 days, not given any water or bread by the Germans, who said cynically: This is the punishment for the particularly obstinate defence of Sevastopol by the Russians".

The wounded brought from the battlefield were given no medical aid. Soldiers and Commanders alike were thrown on the concrete floors, where they lay bleeding for 7 or 8 days.

During the defence of Sevastopol there was, at Inkermann, in the cellars of the champagne factory a military hospital and a medico-sanitary unit No.47. After the retreat of the Red Army, in cellors Nos. 10, 11, 12 and 13 there remained a large number of wounded soldiers and commanding officiers who had not had time to evacuate... The German scoundrels, having captured the factory, became drunk and then fired the cellars.

I omit a number of facts, of which, strictly speaking the majority should have been specially reported to the Tribunal. I pass on the Tribunal to/ I pass on to the last crime described in the statement of the Commission. I pay special attention to it because it describes the fact of a bestial extermination of a very large number of wounded Red Army soldiers.

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" On the 4th December 1943 there arrived at the station of Sevastopol from the city of Kertch tree transports of wounded prisoners of war belonging to the Kertch landing forces. Having loaded them on a barge of 2,500 tons' displacement, which was moored in the Southern bay near the landing-stage, the Germans set fire to it. The heartrending screams of the prisoners of war filled the air. Women who were not far from the barge could render no helf to the wounded, as they were driwen away from the place of the fire by gendarmes. Not more than 15 men were saved. Thousands perished in the fire.

On the following day, the same barge was loaded with 2 thousand men from amongst the wounded brought from Kertch. The barge sailed from Sebastopol in an unknown direction and the wounded who were in it were drowned in the sea".

I reiterate that I leave unpublished a large number of facts established by the Commission.

The data referring to bestialities committed by the German-fascist usurpers in respect of Soviet prisoners of war in the Stalin region differs little in character from the material already published. In our number USSR-2a, among a series of protocols, we find two referring to the extermination of Soviet prisoners of war. The first one was drawn up in the town of Stalino by a special commission, headed by the chairman of the Stalino works district Council of workers' deputies. I will read that part of the protocol which contains information of interest to us.

The protocol begins in the left-hand column of page three and the extracts which I am reading are marked in your copy.

"<u>The circumstances of the case</u>: In the district of the Stalino-work of the town of Stalino, in the "Lenin Club" the German-Fascist usurpors organised a camp for Soviet prisoners of war; at times there were in this camp

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up to 20,000 men, the camp's Commandant, a German officer named Gavbel, established an intolerable regime for Soviet prisoners of war.

Examined, as witnesses, former prisoners of war who had been in that camp and escaped, Ivan Vasilyetch Plakhoff and Konstantin Semyonovitch Shatzky, testified that prisoners of war were starved: a loaf of bread weighing 1200 grammes and made of low-quality, burnt flour was issued to 8 men, and once a day one litre of hot liquid was given consisting of a small quantity of burnt bran, sometimes mixed with wood sawdust. The building in which the prisoners of war lived had no glass in the windows; in summer and winter 5 Kilogrammes of coal were issued for heating purposes even in the coldest of weather; this could not warm the big premises, where up to a thousand men lived in a draught. Mass cases of frostbite were observed. There were no baths. People in general could not have a wash for six months on end and suffered from vermin. In the hot summer months men suffered from the heat; for 3 to 5 days on end they received no drinking water."

The regime in the camp organized in the Stalino Works region was, as is evident from the quoted extract, exactly the same as the regime in othe German prisoner of war camps. This is undoubted proof of the existence of general orders.

The following excerpt shows that, in addition to the general directives, camp commanders were able to commit atrocities each in their own way, while remaining entirely unpunished.

"Prisoners of war were beaten with sticks and rifle butts under any trifling pretext, and at any suspected attempt to escape there was fixed a punishment of 720 strokes with the lash, which was administered over 8 days - 30 at a time in the morning, noon and evening, and at the same time the culprits were deprived of their bread ration, while the liquid food ration was reduced by half.

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As a result of such a regime mortality in the camp was enormous. In winter, deaths amounted to 200 per day. Epidemics broke out in the camp. Numerous cases were observed of swelling as a result of famine and of death from inanition. The guards derived pleasure from degrading the Prisoners of War and from setting them one against the other.

Thus Statzky testified that he was subjected to beatings by German policemen and received 120 strokes with the lash and 15 with sticks for not having obeyed the order to beat a fellow prisoner of war. The beatings were conducted by German Officers.

Provisions brought by civilians for prisoners of war did not reach them.

The Commission came to the conclusion that in the grounds of the camp and of the central policlinic, no fewer than 25 thousand Soviet prisoners of war were buried. This conclusion is based on measurements and numbers of graves and on the evidence of witnesses.

Mass killings and murders of Prisoners of War were also organised by the German-Fascist invaders in another town in the Don basin, Artyomovsk. A special Commission, consisting of the Military Prosecutor of the town of Artyomovsk, of the priest of the Pokrovsky Church - Ziumin, of representatives of the intelligentsia, public organisations and army units drew up a protocol on the mass murders of Soviet prisoners of war organised by the Fascist invaders. This protocol is to be found on page 4 of document U.S.S.R.- 2a.

The protocol says :

"In November 1941, soon after the occupation by the German-Fascist invaders of the town of Artyomovsk, on the territory of the military town beyond the Northern Station, there was formed a prisoner-of-war camp, holding 1,000 captured Red Army men."

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I omit one paragraph and pass on to the question of living conditions there:

"Owing to hunger, in the spring of 1942 prisoners of war used to leave the camp and on all fours like animals, gather and eat grass. In order to deprive men even of this food the Germans fenced off the camp building with two rows of barbed wire, with 2 metres distance between the rows and with wire entanglements placed at intervals."

I omit one paragraph and pass on to the conclusions:

"Near the camp 25 graves were discovered - 3 of them mass graves. The first grave measured 20 by 15 metres; in it were found remains of about one thousand persons. The second grave measures 27 by 14 metres and there were discovered remains of about 900 persons; in the third grave - 20 metres in length and 1 metre -wide-were discovered remains of up to 500 people, and in the rest of the graves-from 25 to 30 in each altogether remains of up to 3 thousand persons".

In the region of the small farm of Vertyztchy in the Corodishtchy region of the Stalingrad area, the Hitlerites organised a prisoner of war camp Here, with the sadism characteristic of them, in the same way as in other camps, they exterminated the combatants of the Red Army.

I present to you as proof our No. U.S.S.R.-63 -which contains a protocol of the 21st June 1943. It is drawn up and authenticated in an appropriate manner and contains the following information: *re p. 43*

"Owing to the bestial regime, during the 3½ months of the existence of the camp at the farm of Vertyztchy, there perished from starvation, tortures, illness and shootings at least 1,500 Soviet prisoners of war.

"The Germans forced the prisoners to work from 14 to 16 hours per day, and fed them once a day, the daily ration consisting of 3 to 4 spoonfuls of stewed rue or

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a ladleful of unsalted rye soup made with water and a piece of the flesh of a dead horse.

A few days before the arrival of the Red Army the Germans ceased to feed the prisoners altogether and condemned them to death by starvation. Nearly all the prisoners suffered from dysentery. Many had open wounds, but no medical aid was given to prisoners".

I omit one paragraph and pass on to the next one which deals with the mocking treatment of prisoners of war.

"Germans mocked the patriotic feelings of Soviet prisoners of war, forcing them to work on building German military works - digging trenches, erecting armour plating, earth huts, camouflage for military mechanised equipment. The Hitlerites humiliated Soviet prisoners of war, forcing them to kneel down in front of Germans."

It is noted in the protocol that the Commission examined material evidence - instruments which were used to torture Soviet prisoners of war (a leather lash, a dagger, found amongst the disarmed bodies, with the well-known Hitlerite slogan: "Blut und Ehre").

The surroundings in which the dagger was found, give a full idea of what was to be understood by the German honour (Ehre) and for what blood (Blut) it was intended.

Crimes characteristic of the Hitlerite usurpers are spoken of in the Extraordinary State Commission documents concerning the town of Kertch. I submit to you the documents of the Extraordinary State Commission under No. U.S.S.R. - 63 (6) and shall read several extracts. In your copy they are all marked, in order that the Tribunal may be able to follow the text read:

Citizeness P. Y. Bulytchyova, born in 1894,

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in the town of Kertch testified:

"I was more than once a witness of them driving along our Red Army Prisoners of war - officers and men, and those who, owing to wounds a general weakness, fell out of the ranks were shot right in the street by Germans. I several times saw this horrible sight. Once in freezing weather they drove a group of weary, ragged, barefooted men by. Those who tried to pick up pieces of bread thrown by passers-by in the street were beaten unmercifluflly by the Germans with rubber truncheons and rifle butts. Those who fell under these blows were shot".

I am leaving out some sentences which, in my opinion, need not be read.

"During the period of the second occupation, when the Germans again br broke into KKertch, they began to avenge themselves with even greater fury on persons guilty of nothing at all."

The witness testifies that the Fascist butchers avenged themselves primar ily on military personnel, killing wounded soldiers with blows of a rifle butt.

"The prisoners of war were driven into large buildings which were then set alight. In this way the Voikov school was burnt down, and the engineerin and technical workers' club, in which there were 400 soldiers and officers of the Red Army. Not a single one of them managed to escape from the burning building. All who tried to save themselves were shot with automatic rifles. Wounded soldiers were bestially tortured in the fishing hamlet of Mayak".

Another female witness, who lived in this hamlet, A.P.Buryatchenko, testified:

"On the 28th May 1942 the Germans shot all the peaceful inhabitants who had remained behind in the hamlet and who did not succeed in hiding. The Fascist monsters mocked the wounded Soviet prisoners of war, beat them unmercifully with rifle butts and then shot them. In my dwelling, the German discovered a girl in military uniform, who having offered rresistance to the Fascist, cried: "Shoot, reptiles, I

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die for the Soviet people, for Stalin, but you, scoundrels, you will meet a dog's death". The girl patriot was shot on the spot.

In the district of Kertch, there is the Adjimushkaisk stone quarry. There Red army soldiers were exterminated and poisoned by gas. N.N. Dashkova, a woman inhabitant of the village of Adjumushkaisk testified:

"I personally saw the Germans - having caught about 900 Red army soldiers in the stone quarry - subject them to ill-treatment and afterwards shoot them. The Fascists employed gas."

I am omitting a few sentences:

"In the Engels club at the time of the occupation there was situate a Soviet prisoners of war camp, in which there were over a thousand people. The Germans ill-treated them, fed them once a day, drove them to do exhansting work, and those who fell from exhanstion were shot on the spot."

It seems to me necessary to quote several other pieces of evidence: "N.J. Shumiloff, a woman resident of the small hamlet of Gorki, declared:

"I personally saw a group of prisoners of war being led past my courtyard. Three of them were unable to move. They were shot on the spot by the German escort."

"Citizeness P.I. Gerassimenko, inhabitant of the hamlet of Samostroy testified:"Many Red army soldiers and officers were driven to our hamlet. The land which they occupied was enclosed in barbed wire. Naked and barefooted people perished from cold and hunger. They were kept in the most awful, inhuman conditions Next to the living were lying numerous corpses which were not removed for several days. These contions rendered life in the camp still more unbearable. The prisoners were beaten

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with rifle butts, they were bashed and fed with refuse. The inhabitants who endeavoured to give food and bread to the prisoners were beaten, and the prisoners of war who attempted to take such gifts were shot".

In the 24th Kertch schoól, the germans set up a prisoners of war camp. Regarding the regime in this camp, a school teacher, A. N. Naumova, testified:

"At the camp there were many wounded. These unfortunate people were losing blood but remained without help. I collected medicines and banda es for the wounded and a medical orderly from amongst the prisoners of war bound up their wounds. The prisoners suffered from dysentery as, instead of bread, they were given refuse to eat. People dropped from exhaustion and disease, and died in awful agonies. On the 20th June 1942 three prisoners of war were beaten with the lash for attempting to escape from the camp. Prisoners were shot. In June one of the escaped prisoners was caught and executed".

A teacher of the Stalin school Koshevnikova personally saw how in the district of the Kitchen factory and Voikov works a group of Red Army men and officers were shot.

In 1943 the German criminals were driving Red Army prisoners of war from the Caucasus. The whole road from the river crossing to the town, a distance of 18 to 20 kilometres, was littered with Red army corpses. There were many wounded and sick persons amongst the prisoners of war. Whoever was unable to walk, either owing to exhaustion or to sickness, was shot on the way.

Amongst other facts one more deserves special attention.

"In 1942 the Fascists threw 100 Red Army prisoners of war alive into the village well of Adjimushkay; the corpses were afterwards extracted by the inhabitants and buried in a communal grave.

This information is contained in the same protocol, extract of which I have just quoted to you.

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On the 29 January 1946, the witness Paul Roser was interrogated at a session of the Court. He testified that in the course of four months, out of ten thousand Russians whom he saw as prisoners of war in the German camp at the city of Rava Russkaya, only two thousand remained alive.

We possess evidence from another eye witness of numerous atrocities and limitless torture inflicted on the prisoners-of-war at Rava Russkaya.

Witness V.S. Kotchan, who was interrogated under the procedure prescribed by our laws, testified before the Guard Captain of Justice Ryzhov, on 27 September 1944 (the protocol of this interrogation is hereby submitted to you under Number USSR-6B): Feb. 13

"I worked under the Germans at the Red Army prisoner-of-war camp from December 1941 to April 1942, as ground-digger.

I omit a few lines irrelevant to the matter.

"This camp was set up by the Germans in the barracks near the railway. The whole camp area was surrounded by barbed wire. According to statements by the prisoners-of-war themselves, the Germans drove into this camp from twelve to fifteen thousand men. Whilst we were working, we observed how the Germans ill-treated the Red Army prisoners-of-war. They fed them once a day on unpeeled frozen potatoes, baked in their skins and with the dirt on them. They kept the prisoners-of-war in the cold barracks all winter.

I know for a fact that when the Germans drove the prisoners of war into this camp, any clothes - overcoats, boots, as well as shoes, which were at all wearable were taken away from the prisoners, leaving them in rags and barefooted. The prisoners

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of war were taken to work daily under escort from 4 to 5 in the morning and were kept working until 10 o'clock at night. Worn out, cold and hungry people were driven into huts in which the windows and doors were specially kept open by day so that the frost should get into these huts, and in this way the people were frozen. In the morning, hundreds of corpses were taken away in a tractor by the prisoners of war themselves, guarded by German soldiers, into the Volkovitch forest, where they were buried in previously prepared pits. While prisoners were being marched off to work, the Germans placed a detachment of soldiers armed with rifles and stakes in the passage gates leading out of the camp, and killed with stake blows in the head, stabbed with bayonets and shot those who, owing to inanition and hunger, could not move properly."

This same witness also describes other instances of German beastiality. Thus, for instance:

"The German administration of the camp brought out completely naked prisoners of war, bound them with ropes to a wall surrounded by barbed wire and kept them there in the wintry frosts of December until they froze. The groans and cries of the persons maimed by rifle butts continually filled the air in the camp grounds. Some they killed with rifle butts on the spot.

When they were brought into the camp grounds, starving and exhausted prisoners of war rushed to a heap of rotten, frost bitten potatoes. This was followed by shooting by the German escort."

I present to the Tribunal another evidence, under the same number-No. 66B, the deposition of a French prisoner of war. Emile Leger, a soldier of the 43rd Colonial Infantry Regiment, Service No. 29.

In his deposition, the camp at Rava Russka is called "the famous camp of slow death", "Stalag 325."

It appears to me that this phrase serves, as it were, as a supplement to the testimony of the witnesses Roser and Kochan. The Soviet Prosecution

has at its disposal a considerable quantity of material unmasking the Hitlerite usurpers in numerous other crimes as well against prisoners of war in the territory of the Lvov destrict.

It seems to me sufficient to read extracts from one testimony by D.Sh.Manussyevitch and state that this evidence is confirmed by that of two other witnesses: F.G. Ash and G.Y. Khamaydess. All three documents are submitted by me again as # 6 b.

Witnesses Manussyevitch, Ash and Hamaydess warked for some time in the detachment which cremated the bodies of men shot by the Germans in the Lvov region, and in particular in the Lissenitzky camps. Witness Manussyevitch states (I quote, beginning with line 20 at the bottom of page 11 of our # 6 b):

" On completing the cremation of bodies we were brought in the night in cars ("the death brigade") to Lissenitzky forest, opposite the Lvov yeast factory. Here in the forest were about 45 pits with the bodies of people shot previously during the period of 1941-42. In the pits there were between 500 and 3,500 bodies in each. There were corpses of soldiers of the Italian, French, Belgian and Russian Armies, i.e. of prisoners of war, but also those of placeful inhabitants. All prisoners of war were buried clothed. Because of that, while unearthing than from the pits, I could recognize them by their uniforms, distinguishing signs, buttons, medals and orders and from spoons and kettles. In the same way as in the Yanovsky camp, grass was sown on the spot were the pits were, trees were planted and stumps of cut down trees were placed, in order to erase any trace of these crimes unknown in human history".

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In addition to the testimony of the victims themselves and of many Soviet citizens, we have at our disposal the testimony of the members of the German armed Forces. I submit to the Tribunal as exhibit USSR-62 a document which was signed by more than sixty persons who were members of different units and branches of the German Army. We find their signatures to the document which they addressed to the International Red Cross in January 1942. In their protest they mentioned facts of criminal attitude towards Soviet prisoners of war, facts of which they had personal knowledge. The persons who signed this protest were prisoners of war at the Soviet Camp No. 78. Their protest is the result of the comparison made by the authors of this document between that which they saw with their own eyes as to the treatment of Soviet prisoners of war and that which they witnessed at Camp No. 78.

Feb. 13

I will quote a few excerpts from this document. The text begins with the following words:

"We, the German prisoners of war of Camp No. 78, have read the note by Mr. Molotov, Peoples' Commissar of Foreign Affairs of the Soviet Government, concerning the treatment of prisoners of war in Germany: We would consider the cruelties described in that note impossible had we not been witnesses of such atrocities. In order that truth should prevail, we feel compelled to confirm that prisoners of war, citizens of the Soviet Union, were often subjected to terrible ill-treatment on the part of the members of the German Army, and were even shot."

Further in the text are given complete examples of the crimes of which the authors had knowledge:

"Hans Drews, of Regenwalde, a soldier of Company 4 of the 4th Tank Regiment, had this to say:

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"I am acquainted with the order issued by Lieut-Gen:Model to the 3rd Tank Division which stated that prisoners should not be taken. A similar order was issued by Maj:Gen: Nehring, the commanding officer of the 18th Tank Division. Two days prior to the beginning of the campaign against Russia we were told at the briefing session of 20 June that in the forthcoming war wounded Red Army men should not have their wounds dressed, because the German Army had not time to be bothered with the wounded."

The fact of respective briefing is also testified by the soldier of the Headquarters Company of the 18th Tank Division, Harry Marek from Alsace near Breslau:

"On 21 June, a day before the beginning of the war against Russia, we had been given by our officers the following order: the Commissars of the Red Army must be shot on the spot. There is no need to stand upon ceremony with them. It is not necessary either to bother too much with Russian wounded: they must simply be finished off on the spot."

The soldier of the 399th Infantry Regiment of the 170th Division, Wilhelm Metzick, from Altona, Hamburg, cites the following case:

"When on 23 June we entered Russia we came to a small place near Beltsa. There with my own eyes I saw how two German soldiers shot with sub-machine guns five Ruman prisoners in the back."

To the existence of the directive to exterminate political functionaries of the Red Army, the soldier of Company 2 of the 3rd Tank Destroyer Battalion, Wolfgang Scharte, of Gerhardtshagen, near Braunschweig, testified:

"One day before the beginning of our campaign against the Soviet Union the sofficers told us the following: if you happen to meet Russian Commissars, who can be recognized by the Soviet star on their sleeve;

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and Russian women in uniform, they must be immediately shot. Anyone who does not do so and fails to carry out this order will be held responsible and punished.

On 29 June 1941 I myself saw how members of the German Army shot wounded Red Army men who were lying on a field of grain near the town of Dubno. After this they were also bayoneted so that there should be no doubt that they were dead. German officers stood nearby and laughed."

Joseph Berdsen of Oberhausen, a soldier of the 6th Tank Division, stated:

" Even before entering Russia we had been told at one of the briefing sessions: Commissars must be shot."

The German officer, a lieutenant of the 112th Engineer Battalion of 112th Infantry Division, Jacob Korzilias, of Horforst, near Trier, certified as follows:

"At a village near Bolva, in accordance with the order by Lieut. Kierik, the Headquarters Adjutant of the 112th Engineer Battalion, fifteen wounded Red Army men were thrown out of the hut in which they were lying. They were stripped and bayoneted. This was done with the knowledge of the Division Commander, Lieut-Gen. Miet. "

Alois Getz, from Hagenbach on Rhine, a soldier of Company 8 of the 427th Infantry Regiment stated:

"On 27 June in the forest near Augustovo, on the order of the Battalion Commander, Captain Witt, two Red Army Commissars were shot."

On page 3 of our exhibit USSR-62 we find the following statement by Paul Sender of Koenigsberg, a soldier of the 4th Platoon of Cannon Company 13 of the 2nd Infantry Regiment:

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"On 14 July on the road between Porchov and Staraya Russa in the gutter, corporal Schneider of Company 1 of the 2nd Infantry Regiment shot twelve captured Red Army men. When I asked him about it, Schneider said: " Why should I bother with them. They are'nt even worth a bullet." I know also of another case.

During the battles around Porchov one Red Army man was taken prisoner. Soon after that he was shot by the acting corporal of Company 1. As soon as the Red Army man fell, the corporal took out of the man's bread bag all the food which was there."

Before finishing the reading of excerpts from the protest of the German prisoners of war, I would like to quote two more depositions by Fritz Rummler and Richard Gilling respectively. Their depositions we find on the lower part of page 4. Fritz Rummler of Streilen in Silesia, a corporal of Company 9 of the 3rd Battalion of the 518th Regiment of the 295th Division, reported the following facts:

"In August, in the town of Zlatopol, I saw how two officers belonging to SS units and two soldiers shot two captured Red Army soldiers after having taken off the army overcoats from these men. These officers and soldiers belonged to the armoured troops of General von Kleist. In September the crew of a German tank on the road to Krasnograd crushed with their vehicle two Red Army men who had been taken prisoner. This was done simply for lust of blood and murder. The tank commander was non-commissioned officer Schneider who belonged to von Kleist's armoured troops. I saw how in our battalion four captured Red Army men were questioned. This took place at Voroshilovsk. The Red Army men refused to answer questions of a military nature which were asked them by the battalion commander, Major Warnecke. He flew into a rage and personally beat up the prisoners until they lost consciousness."

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Acting corporal of the 9th Transportation Platoon of the 34th Division, Richard Gilling, stated:

"Many a time I was witness of the inhuman and cruel treatment of Russian prisoners of war. Before my own eyes, acting on the orders of their officers, German soldiers took off the boots from the captured Red Army men and drove them on bare-footed. Many such facts I witnessed at Tarutino. I was an eye-witness of the following fact. One captured Red Army man refused to give up his boots voluntarily. Soldiers of the escort beat him up to such an extent that he could not move. I saw how prisoners had taken away from them not only their boots but also all their clothing including underwear."

Here I omit a few sentences and turn to the end of Gilling's statement:

"During the retreat of our column I saw not far from the town of Medyn how German soldiers beat captured Red Army men. One captured man was very tired and unsteady on his legs. One soldier of the escort jumped at him and began to kick him with his boots and hit him with the butt of his rifle. The same was done by other soldiers. Near the town this prisoner dropped dead."

The statement further reads:

"It is no secret that in the German Army at the front, at Division Headquarters, there are specialist whose particular work is to torture Red Army men and Soviet officers in order to force them in this manner to disclose military information and orders."

The photostat of this statement I submit to the Tribunal. The Tribunal will satisfy itself that there are sixty signatures personally executed by the members of the German armed forces followed by the names of the regiments and smaller units to which they belonged.

I submit to the Tribunal four photographs of German origin. Each of these photographs was taken by a German, the time and place being indicated. One of these photographs is a picture showing the distribution of food, the second shows search for food; the third and fourth

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are pictures of the Uman prisoners-of-war Camp.

It is obvious from the first picture that the food which is being distributed is insufficient. Men are almost fighting to get some. The second photograph shows hungry Soviet prisoners of war wandering around an empty barn, and eating oil-cakes which they have discovered stored away in the barn as food for cattle. With respect to the third and fourth photographs I can submit to the Tribunal important testimony by the witness Lingel. Excerpts from his testimony have a direct bearing on the question of the treatment of Soviet prisoners of war.

Lingel was interrogated by me and a record of his interrogation I submit to the Tribunal as exhibit USSR-111. On 27 December 1945 Lingel, who was formerly Company Commander in the German Army, testified (I quote the excerpt from the 6th page of the record of his interrogation)

" I have already made one statement concerning the interior regime in the prisoners-of-war camp at Uman. This camp was guarded by one company of the 783rd Battalion and therefore I had knowledge of everything which took place there. It was the task of our battalion to guard the prisoners of war and to supervise highways and railroads.

This camp was normally designed for 6 to 7 thousand men, however at that time 74 thousand men were kept there.

Question: Were those barracks?

Answer: No, It was formerly a brickyard and on the site of it was nothing but low sheds for drying bricks.

Q: Were the prisoners of war quartered there?

A: It can be hardly said that they were quartered there because each shed at the most could contain not more than 200-300 men, the rest had to sleep in the open.

Q: What was the regime at that camp?

A: The regime at the camp was somewhat peculiar. The conditions at the camp created the impression that the commanding officer, Captain Bekker, was unable to handle such a large mass of people and to feed it. In the camp there were two kitchens; though they couldn't really be called kitchens. On concrete and on stones iron barrels were placed and in them the food for the prisoners of war was prepared. If these kitchens were to operated for 24 hours a day they could prepare food for approximately 2000 men. The usual diet for the prisoners of war, the daily ration, consisted of 1 loaf of bread for every s six men. The bread however could hardly be called bread. During the distribution of cooked meals disorders often took place as the prisoners of war - and there were more than 70,000 of them in the camp - struggled to get at the food. In such cases the guards used clubs which were the usual thing at the camp. I got the general impression that at these camps the club was the foundation of all things.

Q: Do you know anything about the death rate at the camp?

A: 60 to 70 men died at the camp daily.

Q: What were the causes?

A: Before epidemics broke out, it was mostly because the men were being killed.

Q: Killed during the distribution of food?

A: Either during the distribution of food, or during working time, and generally men were being killed throughout the whole day."

Bingel was interrogated for the second time and he had been shown the photographs of the Uman camp. Bingel was asked the following question:

"The camp shown here, is it the one you spoke about, or some other camp?"

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After this he was shown photographs from negative 13/18 of 14 August 1941 and from negative 13/22 of the same date. Lingel replied:

"Yes, it is the same camp of which I spoke.

This actually is not the camp but a clay-pit which belongs to the camp where the prisoners of war coming from the front were placed. Later on they were distributed among the different sections of the camp."

Q: What can you say about the second photographs?

A: The second photographs shows the same camp only taken from another side, from the right side. These buildings which are shown here were actually the only brick buildings at that camp. This brick building though entirely empty and undamaged, and which had excellent large quarters, was not used for housing the prisoners of war."

It is difficult to say whether that which the Hitlerites did to the Soviet prisoners of war at the so-called "Grosslazarett" of the town of Slavuta, in the Kamenez-Podolsk region, should not be considered as the limit of human baseness. Be that it as it may, the extermination of Soviet prisoners of war by the Hitlerites at the "Grosslazarett" is one of the darkest pages in the history of fascist crimes.

7A-13

I submit to the Tribunal as exhibit USSR-5 the report of the Extraordinary State Commission and will read into the record several excerpts from the report itself as well as the appendices thereto.

On the expulsive of the fascist hordes from the town of Slavuta, units of the Red Army discovered on the site of the restricted military area what the Germans called the "Grosslazarett" for the Soviet prisoners of war - In the "Lazarett" there were found more

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than 500 emaciated and critically ill men. The interrogation of these men and the special investigation carried out by medico-judicial experts, and by the expert members of the Central Institute of Food of the Peoples Commissariat of Health of the USSR, enabled a detailed reconstruction to be made of the extermination of a large number of Soviet prisoners of war which took place at that appalling institution.

"In the fall of 1941 German fascist invaders occupied the town of Slavuta and organised a "Lazarett" there for the wounded and sick officers and men of the Red Army, the designation of which was 'Grosslazarett' Slavuta Zailage 301".

The "Lazarett" was located approximately 1½ to 2 kilometers to the south-east of Slavuta and occupied ten three-storied buildings, - blocks. All these buildings the Hitlerites surrounded by a dense net of wire entanglements. Along these entanglements at a distance of every 10 meters were built towers in which machine guns, search lights and guards were placed.

The administration, the German doctors and the guards of the "Grosslazarett", as represented by the commanding officer, Captain Plank, and later Major Pavlisk who replaced him, the Deputy Commander Kronsdorfer, Captain Boie, Stabsarzt Dr. Borbe, his deputy Dr. Sturm, Master-sergeant Ilsemann, and Technical-sergeant Bekker, carried out a mass extermination of prisoners of war by means of creating a special regime of hunger, congestion and insanitary conditions, the use of tortures and outright killings, by withholding medical treatment from sick and wounded and by forcing utterly emaciated men to perform the hardest work".

The Extraordinary State Commission calls the German "Grosslazarett" the hospital of death . I quote a small part of the section thus entitled. This is the 3rd page of the Russian original:

"at the 'Grosslazarett' the German authorities concentrated 15 to 18 thousand critically and slightly wounded Soviet prisoners of war, as well as those suffering from different contagions and non-contagions diseases.

To replace those who had died new groups of wounded and sick prisoners of war were continuously moved in. . On their way the prisoners of war were subjected to tortures, starved and killed. From each train which arrived at the "Lazarett" the Hitlerites threw out hundreds of corpses."

According to the data of the investigating commission, from each train unloaded at a branch line, 800-900 corpses used to be thrown out. The report of the commission states further as follows:

"In the course of their march thousands of Soviet prisoners of war perished from hunger, thirst, lack of care, savage arbitrary practices of the German guard. - - -

As a rule the Hitlerites would meet a group of prisoners of war at the gate of the "Lazarett" with beatings with butts and rubber clubs, and then the leather footgear, warm clothing and personal belongings of the new-comers were taken away.

In the following section, on the same page, the State Commission reports that infectious diseases were deliberately spread by the German medical officers among the prisoners of war in the "Lazarett".

"The German medical officers artificially created in the "Grosslazarett" an unbelieveable congestion. The prisoners of war were forced to stand up close to each other, broke down with fatique and exhaustion, fell and died. The fascists used different methods of "congestion" in the "Lazarett".

A former prisoner of war, I.Y. Chuazhev, reported that the Germans: "by shooting sub-machine guns created a congestion in the place and the men perforce pressed closer to eachother; then the Hitlerites pushed in some more sick and wounded and the door was closed."

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The premeditated spreading of infectious diseases in this camp of death derisively named "hospital", was achieved by the most primitive measures.

"Patients suffering from spotted typhus, tuberculosis and dysentry, severely and lightly wounded cases, one and all were accommodated in the same block and in the same ward."

In this ward, primarily intended, under normal circumstances to hold not more than 400 patients, the number of typhus and tuberculosis cases amounted to 1800.

"The rooms were never cleaned. The sick remained, for months on end, in the same linen they had worn when captured. They slept without any bedding. Many were half-clothed or else quite naked. The premises were unheated and the primitive stoves, made by the prisoners themselves, fell to pieces. As a result of these unsanitary conditions, the presence of lice in the "hospital" attained monstrous proportions."

Annihilation by premeditated spreading of disease was accompanied by starvation to death. The food ration of the Soviet Prisoner consisted of 250 gr. of "Ersatz-Bread" and 2 liters of so-called "Balanda". The flour used for baking the bread intended for the sick and wounded prisoners was obtained in Germany. 15,000 tons of this "flour" was discovered in the hospital stores. The paper bags, containing 40 kilograms each, had been packed in the factories and labelled "Schelmche". Samples of this Ersatz-Flour were submitted to the Research Laboratories of the Central Food Institute of the Commission for USSR National Welfare.

I submit the documents dealing with the annihilation of Soviet Prisoners of War by the Hitlerites in the "Gross-Lazaret" as No. USSR-5[illegible]; on pages 9, 10 and 11 of this document the

Tribunal will see a photostat of the findings of the Central Health Institute. The findings are submitted, on the one hand, in accordance with the data of the analysis made by the Front Line Military Laboratory and, on the other hand, according to the data of the analysis made directly in the Central Food Institute proper. Sample bakings of bread were made both from the "Ersatz-Flour" only, and from the "Ersatz-Flour" with the addition of a small quantity of authentic flour. It appears that it was impossible to bake a loaf with "Ersatz-flour" alone. In conclusion, the Institute stated:

"It is evident that the bread was baked with the addition of a small quantity of natural flour for binding the mass. A diet of this so-called "bread" , in the absence of all other food and food products of a full dietetic value, invariably led to starvation and extreme debility."

The analysis showed that the "flour" consisted exclusively of uniformly enough fairly roughly ground straw with particles of two and sometimes of three mm in length. Under the microscope, in every optical field of vision:

"Together with food and vegetables fiber, we discovered a very small quantity of grains of starch resembling oat grains in structure."

The Institute came to the conclusion that:

"The use of such bread, owing to the irritant action of the crumb, led to diseases of the digestive tract."

Anticipating a little, I should like to report the results of the legal-medical autopsies performed on 112 bodies exhumed from Site 1, and of an external examination of some 500 bodies. In the first instance, the cause of death, in 9[illegible] cases, was attributed to exhaustion. In the second instance, as stated in the conclusion, printed on page 7 of Document N

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CRIMINAL VIOLATION OF THE LAWS AND CUSTOMS OF WAR

IN THE TREATMENT OF PRISONERS OF WAR

(CONTINUED - PAGES 67 TO 112)

Deputy to Chief Prosecutor for

the USSR - Colonel U.V. Pokrovsky

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No. USSR-5a.

"Confirmation of the fact that exhaustion is the fundamental cause of mortality in the Prisoners' Camp, is also founded on the data of the external examination of some 500 corpses, when it was proved that the percentage of extreme exhaustion approached 100 per cent."

A little further on, in the same conclusion, sub-division "G" of paragraph 5, the experts state that the diet in the Slavutsk "Gross-Lazaret", and in this they are supported by other witnesses, can be characterized as absolutely unfit for human consumption.

"Bread, with the 60 per cent addition of wood files, "Balanda" made of rotten potatoes, with the addition of [illegible], rat droppings etc."

Such Prisoners of War who had survived, up to the liberation of Slavutsk, the tyranny of the Hitler hangmen, declared (and I quote an excerpt from page 4 of Document USSR-5):

"In the "Gross-Lazaret" we periodically observed outbreaks of a disease of an unknown nature, called 'para-cholera' by the German doctors. The appearance of 'para-cholera' was the result of barbarous experiments by the German doctors. Quite suddenly these outbreaks would appear and as suddenly they would vanish. The mortality in 'para-cholera' was from 60 to 60 per cent. Autopsies were performed on some of the victims of the disease, to which autopsies no captured Russians Medical Officers were admitted."

In conclusion of the legal medical examination (page 7 of Document USSR-5a) it is stated in sub-division 8

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"No installations subjectively considered can explain all the conditions in which the Prisoners of War were kept in the camp. The more so, as was proved by evidence pertaining to the subject, that there were enormous food supplied in the military depots at Slavutsk, and both medical supplies and bandaging material abounded in the military dispensaries."

The "Gross-Lazaret" staff included a considerable number of medical personnel. At the same time, as stated in the communication of the Government Commission, sick and wounded officers and soldiers of the Red Army did not receive even the most elementary medical attention. And how can there be any talk of medical attention when the entire task of the "Gross-Lazaret" was diametrically opposed to such assistance. The administration of the "Gross-Lazared" not only strove to destroy the Prisoners of War physically: they endeavored to fill the last days of the sick and wounded with suffering and anguish.

One of the sections of the Commission's Communication is headed: "Torture and shootings of Soviet Prisoners of War". I quote the part of this section It is printed on page 4 of Document USSR-5:

"In the Gross Lazaret, the Soviet Prisoners were subjected to torture and torment; they were beaten when food was distributed, they were beaten again when sent out to work. The legal-medical examination of the exhumed bodies brought to light, amongst the number of other bodies of Prisoners of War, the body of a prisoner who, in his death agony had been wounded with a knife in the inguinal region with the knife still sticking in the wound. He was thrown in a grave still alive and covered with earth.

One variety of mass torture in the hospital consisted in locking the sick and wounded in an unheated cell.

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The cell had a concret floor. The Prisoners locked in the cell were deprived of food for several days and many died there. For the purpose of still further exhausting the Prisoners, the Hitlerites forced the sick and debilitated captives to run round the "hospital" building: those who could not run were then beaten to death. It was by no means uncommon fort the German guards to murder the prisoners just for the fun of the thing.

A former Pri soner of War, Buchtichyuk, tells us that the Germans threw dead horses on the barbed wire protecting the interior of the camp and when the Prisoners of War, maddened with hunger ran up to the barbed wire, the guard opened fire on them with machine guns. The witness Kirsanov, saw one Brisoner of War bayonetted to death for picking up a potatoe tuber. A former Prisoner of War, Shatalov, was an eye-witness when the escort shot a Prisoner of War who had tried to obtain a second helping of "Balanda".

In February, 1942 Shatalov saw a sentry wounding one of the prisoners who was searching the garbage heap for remnants left over from the German kitchen of the service personnel; the wounded man was immediately brought to the pit, undressed and shot."

An examination of exhumed bodies confirmed that:

"The Command and guards of the camp repeatedly applied refined forms of torture. Amongst the bodies on whom autopsies had been performed and those which had been exhumed, the medical-legal examination discovered four bodies of Prisoners of War who had been murdered with cold steel weapons, with bayonet head wounds penetrating the region of the skull."

The Hitlerites compelled the sick and the wounded, despite their extreme debility and exhaustion, to carry out physical work entirely beyond their strength. The exhausted and fallen Prisoners of War

the military escort killed the prisoners on the spot. According to Milevsky the catholic priest of the town of Slavouta, the road along which the prisoners went to work and back again, came to be marked by little grave mounds, as by mile stones.

The fascist fanatics did not always have the patience to wait for the actual death of some one or another Prisoner Of War, and they buried persons who were still alive.

"A considerable quantity of grains of sand was found deep down in the respiratory tracts of the corpses of four Prisoners; reaching to the smallest bronchial tubes, and since the sand could have penetrated so far only if respiration took place underground, under the sand, the legal-medical experts established that in the "Gross-Lazaret" the guards of the Kommandantur with the knowledge of the German doctors, buried the Soviet citizens alive."

Prisoner of War Pankin, one of the former inmates of the "Gross-Lazaret" knew of a case when, in February 1943, an unconscious patient was brought to the morgue. He recovered consciousness in the morgue. But when it was reported to the Barrack Chief that a living man had been taken to the morgue, he ordered him to be left there. And the sick man was buried alive.

Some War Prisoners could not endure the unbearable regime and, in spite of enormous risk tried to organize escapes both individually and in groups. These martyrs, having escaped from the hell of the "hospital" sought shelter with the local population of Slavouta and the surrounding villages. The Hitler creatures mercilessly shot anyone who gave any kind of assistance to a fugitive.

The town of Slavouta was part of the Shepetov province. On 15 January, 1942, the Shepetov Gebiets-Kommissar, Dr. Worbs, issued a special order. This order specified that if the people, directly responsible for helping an escaped prisoner, were not found, ten hostages would be shot in each case.

Father Zhukovsky reported that 36 peaceful citizens were arrested and shot for helping the Prisoners of War to escape. The medical examination of the 525 Prisoners liberated from the "Gross-Lazaret" revealed that 435 cases suffered from extreme inanition, 59 had secondarily infected wounds, while 31 were the victims of neuro-psychiatric disturbances.

The Commission notes (and I quote the penultimate paragraph of the left column on page 5):

"During the two years that Slavuta was occupied, the Hitlerites, with the participation of the German doctors Borse, Schtur and other medical assistants exterminated about 150,000 Red Army officers and men.

The German fascist executioners were quite aware of the enormity of their crimes and wished to conceal all traces of the atrocities committed. They especially endeavored to camouflage the burial sites of the Soviet Prisoners of War. For instance, on the cross of grave No. 623, 8 names only of persons buried were indicated, whereas 32 bodies were actually found upon the excavation of this grave. Such was also the case upon the excavation of grave No. 624.

In other graves layers of earth were placed between several rows of corpses. For instance, 10 bodies were found in grave No. 625: when a layer of earth 10 cm thick had been removed, two further rows of corpses were found in the same grave, and such was the case at the excavation of graves No. 627 and 628.

Numerous graves were camouflaged by flower beds, trees, plantations, paths, etc., but no disguise exists which can ever hide the bloody crimes committed by the Hitlerite miscreants.

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If I am not mistaken a case exists when one of the participants in this trial, evidently forgetting where and in what circumstances he was placed wished to keep within the limits of the German law. The Court immediately offered the necessary explanations and his intention of operating within the limits of the German law was, of course, rejected. At present I am fully able to submit to the Tribunal documents which, in my opinion, are of importance in our case, although they are compiled in complete accordance with the rules laid down by the German law.

Amongst the numerous documents found in the Police Archives of the town of Djitomir, Red Army troops seized a certain piece of correspondence. This is a police inquiry. The authors of this document could not foretell that it would be read into the record at a session of the International Military Tribunal for the Punishment of the Major War Criminals. The documents constituting this correspondence were intended exclusively for the chiefs of police, and they were compiled in accordance with all the requirements of German law and of the police investigations of fascist Germany. From this point of view, those who would like to examine the documentation can be quite satisfied.

At the same time, this correspondence is useful to us as well. So much is said on the comparatively small quantity of pages, that I should have to analyse the documentation in several sections in order that you could appreciate it fully and from every angle. I submit this correspondence to you both in the German photostat and in the Russian translation. I repeat - this is a police inquiry.

On the 24th of December, 1942, 78 Prisoners of War from the Berdichev Educational-Labor Camp were to be subjected to "special treatment". All the 78 prisoners were Soviet citizens. In the correspondence there is a report to the authorities by the Obersturmfuehrer Kountze of 27 December 1942

H5150 - 0078

At the end of the first abstract there is a sentence in your texte underlined by red pencil:

"In this particular case there has been no evidence regarding any communistic actvity of these war prisoners during the existence of the Soviet Government".

Kunze's next sentence makes perfectly clear the question of how and why these war prisoners got into the educational labor camp. He states:

"It seems that the military autoritics have left the prisoners of war at the disposal of the local section in order to submit them to the "special-regime" treatement".

Allow me to breack off this sentence in the middle now, as would like to repeat it in full some time later.

We became convinced that they were directed to this camp by the military authorities, The specialist, who in this case was doubtlessly Obersturmfuehrer SS, states that they were sent here specially so that they could become objects of the "special regime" treatment.

In another document (also found in this correspondence), dated "Berdichev, 24 Dec. 1942", on the first page of the Russian text, we find another important item. It appears that the 78 persons here concerned were remnants of a larger group. The SS official, Sturmscharfuehrer SS Fried Knopp reports that:

"Some of the prisoners of war were sent away on a lorry somewhere near by.

Because of the objections coming from the military authorities further sendings of presoners of war were discontinued."

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Somewhat later I shall be more explicit concerning the nature of these transfers and the objections raised by the Army.

Permit me now to pass over to a circumstantial description of the core of the matter. It appears to me more useful to describe it in the words of one of the documents. I quote:

"Commander of the Security Police and SD in Djitomir Berdichev

24.12.1942

When called upon to appear SS-Sturmbannfuehrer and Kripo Ober-sekretaer Friederich Knopp replied. He was born on the 18th of January, 1897 in Neuklitz, Kessling. Friederich Knopp testified as follows:

"As from the middle of August I was the leader of the Berdichev Section of the Security Police Command and SD in the town of Djitomir. On the 23rd of December 1942 the Deputy Commander, Hauptsturmbannfuehrer of the SS Kallbach, surveyed the local section of the Educational-Labor Camp of the department entrusted to my supervision. In this Educational-Labor Camp, from the end of October or the beginning of November there were 78 former Prisoners of War who, in their time, had been transferred from the permanent camp in Djitomir as being incapable of work. A considerable number of Prisoners of War in the past had been handed over and placed at the disposal of the Commander of the Security Police and SD."

I think, there is no necessity to explain in detail that the transfer of the Prisoners of War and placing them at the disposal of the Security Police had been provided for by special SS Directives and Directives of the SD especially in connection with persons condemned to physical annihilation. In this manner, a part of the Prisoners of War and, as has been observed, a very considerable part, had already been handed over to the executioners and destroyed.

I quote further:

"Of their number in Djitomir a few had been set aside who, to a certain point, were capable of working. The remaining 78 persons were transferred to the local Educational-Labor Camp."

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I omit two extracts.

"The 78 Prisoners of War in the local camp were exclusively severely wounded Prisoners. Some lacked both legs; others had lost both their hands; others again had lost one or the other of their limbs. Only a few of them were not wounded in the limbs, but they were so mutilated by other kinds of wounds that they were quite unable to work. The latter had to assist the former.

During the survey of the Educational-Labor Camp by SS-Hauptsturmbannfuehrer Kallbach he gave the order that those who had survived the death of the 68 or 70 Prisoners of War should this very day be subjected to "special treatment". For this purpose he handed over a motor truck with an SS chauffeur from the Command Administration, who arrived here today at 1130 hours. The preparation for the execution I entrusted early this morning to my colleague in the Local Administration: SS Unterscharfuehrer Vollbrecht. I appointed Vollbrecht as responsible for carrying out the execution. He took a motor truck from the leather factory and eight persons from the political prison of the Local Administration to dig the graves. Paal and Heselbach assisted at this work. No communication was allowed between the prisoners appointed to dig the graves, and the former Prisoners of War, now condemned to death.

Although at that time Jews were usually executed within the confines of the labor camp, in a place, however, hidden from the view of the persons in the camp, I considered it useful in the case of todays execution, to have a place selected outside the camp in an open space behind the stationary camp.

Of the three above mentioned persons, whom I had entrusted with the shooting of the Prisoners of War, I know that when they were in Kiev they had taken part in mass-executions of many thousand persons and that in the Local Administration, during my sojourn they had already been entrusted with the shooting of many hundred victims."

I would like to point to you one more instance, showing once more the meaning the hitlerites usually put in the words "execution" and "special regime" treatment. Here in one only sentence the terms:"mass-execution" and "shooting" are used as precisely equal, and, a little above it became clear what means "transport by trucks somewhere near-by and "special-regime" treatment without any question these four terms are identical.

After this interruption, I continue my citation:

"On the ground of the above-mentioned and being very busy, I left these three persons carry out to-day's execution, and ordered SS- Unter-Scharfuehrer Paal to be in command. They had these arms: German sub-machine gun,/Russian automatic gun CB, and a carabine. I must point out that I intended to give these three persons, as a help, SS-Hauptscharfuehrer Wensel, but SS-Sturmann Vollbrecht declined, remarking, that three of them were quite able to carry out this order."

Conserning the in-dictment.

I did not think it was necessary to send a larger detachment to do the work of an usual execution, as the place of execution was hidden from outside glances, and the prisoners were unable to escape, on account of their physical shortcomings.

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"Around 15 o'clock, they telephoned to me from the permanent camp, that one of my co-workers was injured and another run away. Immediately I sent SS-Hauptscharffuhrer Wensel and SS-Oberscharffuhrer Frich to the place of execution, in a horse-cart. After a certain time they telephoned again from the permanent camp to tell me that two co-workers of my section were killed."

I think it is unnecessary to talk about a few purely technical details and I omit here a few sentences.

"Hesselbach reported to me how it happened. While he, Hesselbach, was shooting prisoners standing in a grave, two other co-workers were guarding the car. When he shot three prisoners, with a fourth prisoner standing close by, all of a sudden he heard a shot over the grave. Then he shot the fourth prisoner, got out of the grave, and saw prisoners running away in all directions. He fired on the escaping prisoners, and, in his opinion, killed two of them."

I omit again a few sentences, and present the last part of the testimony of Knop:

"I would like to point out that the above-mentioned incident took place during the second execution. The shooting of about twenty prisoners that took place earlier was carried out without any incident. As soon as I came back, I reported this incident by telephone to the commanding officer in Jitomir.

It is all I can testify. I declare that my testimony is entirely true and I know that for false testimony I will be punished and expelled from the SS."

Signed: Frid Knop, SS-Schturmanscharffuhrer.

Countersigned: Kuntse, SS-Oberschturmanfuhrer."-

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The hangman was interrogated next. On this matter we have in our disposal the following document:

"Then was summoned SS Rottenfuehrer Gesselbach Fridrich, born 24 January 1909, native of Feidingen, district Vitgenstein (Westphalia), and gave the following testimony:

"I was informed about the subject of the fortecoming interrogation. I was informed that in the case of false statements I will be subject to a punishment, and will be expelled from SS."

After this usual formal part of investigation, and being warned about the penalties expecting him, - Gesselbach gave on the subject the following testimony:

"Yesterday evening I was told by SS Scharfuehrer Paal, that today I have to take part in the execution of prisoners of war. Later on, I reiceived also a corresponding order, concerning the matter, from Hauptscharfuehrer Venzel in the presence of SS Sturmscharfuehrer Knopp. This morning at 8.00 in the morning SS Hauptscharfuehrer Berger, SS Unterscharfuehrer Paal, SS Sturmbannfuehrer Folbrecht and myself, together with 8 inmates from our prison, arrived, in a car taken from the tannery and driven by an Ukrainian driver, to a place situated, approximatively, 1-1,5 klm. behind the camp, in order to dig a grave.

While this work was carried out, the Ukrainian driver stood at a distance from where he could see what we were doing. In my opinion the driver realized what was the purpose of the ditch. On the way back, we drove by the reformatory-labor camp, where Paal left the car in order to carry out in the camp the necessary preparations for the execution. When the truck from the command post arrived to Jitomir, I went with Folbrecht to the camp. By the camp's entrance, Folbrecht, upon order of Paal, left the car. When giving this order Paal had in view to conceal our intentions from the prisoners, and not to arouse any suspicions by the presence of a large number of SS men in the camp.

That is why only Paal , myself and a few militia men were loading the prisoners on the car. Upon the Paal's order, the whole first group consisted, almost without any exeption, of the prisoners who had no legs or feet. I considered the order to take up the crippled prisoners first as inexpedient, and protested against it, but was ordered by Paal not to interfere in this matter, since he already had given the instruction concerning the procedure."

I will omit now a few paragraphs, which have no interest to us from any point of view, and will quote the paragraphs marked out in the page 6 of the Russian translation:

" After having executed the first three prisoners I suddenly heard shouting from above. As the fourth prisoner was already on the spot I quickly killed him, and looking upwards, saw that there was a great confusion near the truck. Even before I had heard, some shooting and now I saw the prisoners running away in all directions. I can not give any details about what actually happened because I was at the distance about 40-50 meters from the place. I can say only, that I saw two of my comrads lying on the ground, and two prisoners shooting at me and the driver with weapong they got hold of. When I realised what was happening, I fired the fourth cartridge left in my magazine at the prisoners who were shooting at us, put in the new clip, and noticed suddenly that a bullet hit right next to me. I had the feeling as if I was hit, but afterwards I realised that I had been wrong. I explain that now as a nervous shock. Anyhow I was firing out the cartridges of my second clip, shooting after the fugitives, though, I can not tell whether I hit any of them or not".

H5150 - 0084

I can inform you, that the last part of Gesselbach's testimony concerne the subject of organization the searches of the dispersed cripples, which gave no results.

And finally, I will quote a few excerpts from the document which is the last one in the correspondence. This is a letter-report of Obersturmfuehrer SS Kuntze. It concludes with the statement that the funeral of the killed SS men took place at the police and SS heros' cemetery in Hegewalde at 14.00.

It seems to me, that this detail is interesting also. I will quote now the first part of the mentioned report:

" On 23 December 1942 while inspecting the Berditshev branch and the reformatory-labour camp under its command, SS Hauptsturmfuehrer Kalbach assertained, that as from the end of October, there is in the camp a great number of straggled PW-s, unable to work as a result of wounds ... Because of their unability to work these PW-s were a considerable burden to the camp. For this reason the SS Hauptsturmfuehrer Kalbach ordered the execution of the former PWs on 24 December.

Neither in the central office nor in the branch-office one could assertain the reasons for which the former commandant accepted these crippled prisoners and sent them to the reformatory-labour camp. In this case there did not exist any information concerning the communist activity of mentioned prisoners during the whole period of the Soviet regime. Evidently the military authorities put these PW-s at the disposal of the local branch in order to submit them to a special regime,

H5150 - 0085

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because, due to their physical condition they could not be used for any work.

Thus, the SS Hauptsturmfuehrer Kalbach ordered the execution for 24 December at 17 hours. The Chief of the Berdichev's branch, the SS Sturmscharfuehrer Knopp, informed by 'phone that, while carrying out the appointed special-regime operation, the two officials of the branch, SS Unterscharfuehrer Paal and the SS Sturmann Folbrecht, were assaulted by the prisoners and killed with their own arms..."

I now omit a considerable part of the SS-Obersturmfuehrer Kuntze's chatter and will quote only three more paragraphs:

"In this way of the twenty eight prisoners, four were shot in the grave, two - while escaping, and the remaining twenty two managed to escape. The measures for the capture of the fugitives, which were immediately undertaken by the SS Rotenfuehrer Hesselbach, with the help of the guards from the neighbouring Stalag, were opportune but unsuccessful. The Chief of the Berdichev's department ordered an immediate search for the fugitives, and informed all the police and military agencies. However, the names of the fugitives are unknown and this fact will make the search difficult. The records have the names of all prisoners who are under special regime, and so it was necessary to declare as escaped even those who were already shot.

On 25 December, on the same spot, a special-regime (execution of the 20 remaining former prisoners) was carried out under my direction. Because of the possibility that the fugitives had already established contact with some partisan unit, I ordered that the Stalag was to send once more a detachment of 20 men, armed with light machine guns and carbines, for the guarding of the approaches. The execution was carried out without any incidents.

H5150 - 0087

As a repisal I ordered the gendarmerie to check up on all prisoners of war brought in several convoys into the adjoining regions in order to ascertain their political activity under the Soviet rule and in order to seleet out of their ranks 20 of the most active inpolitical field and members of the Communist party so that they would be subjected to the most severe regimen."

To conclude presentation of the evidence pertaining to this mostrous crime of the Hitlerites I wish to draw the attention of the Tribunal to several facts.

First of all I want to refer to the "objections of the army", which were reported by the SS man Knopp. Knopp said:

"In future there will be no further shipments of the prisoners of the war in compliences with the objections of the Army. I don't want to have my words misunderstood. The Army did not really object to such shipments, it rather expressed the desire that the prisoners of war, after having been separated into convoys and sent to some destination, should immediately receive some shelter".

What " shelter" he is talking about is not hard to guess. That is "the shelter" to which, in words of Knopp, they "were transported in trucks some place near".

The second factor, which to me appears highly important is the scale of the outrages. Referring to the executioners - Paal, Hesselbach, and Folbrecht, Knopp writes:

"In reference to the three above mentioned persons to whom I entrusted shooting of the prisoners of war, I knew that, while still in Kiev, they had participated in mass executions of many thousands of people. And in the local administration, at the time of my presence here, they were entrusted with shooting of many hundreds of people".

In reference to Hesselbach I would like to note two, perhaps not greatly important, but characteristic features. The first one is his terminology. Here are his words:

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"I have suddenly heard shouts from above after I have shot the first three prisoners. As it was the turn of the fourth, I bumped him off quick".

Any bandit and habitual murderer would evidently use such language, speaking about destroying a man. For the fascist executioners, the murder of a soldier, who fought honestly for his country, and became an invalid, the short word "bump off" is good enough; the executioners do not consider it necessary even to find out whom they are really murdering. Thanks to this, occurs a scandalous confusion among the police. They order to search both for those who were shot and those who escaped.

Second: The sound alone of a bullet which passes near by gives him a sensation of being wounded. And people of this type are called by their superiors, 'heroes'.

It would be an omission on my part not to underline the exceptional brutality shown by Kuntze - this typical representative of SS. Twenty persons captured at random and without any fault on their part were to be murdered. What for? Only because 22 armless and legless invalids escaped death.

The Tribunal of course, is quite aware of the fact that by all laws of God and men, these 22 invalids should not perish in hands of executioners but should be under protective guard of German Government as war prisoners.

The confession of Kuntze concerning the motives for which the military authorities directed invalids to the camp for the "special regime treatment", is especially valuable. He says definitely that the cause of it was their physical condition, which made it impossible to use them for any work.

In this connection I submit to the Tribunal several documents. They will show that only from the angle of receiving

H5150 - 0089

slaves, the representatives of German Command and German Authorities were interested sometimes about war prisoners. You have in your possession a circular of High Command of Armed Forces that the Soviet war prisoners must be branded and that this branding is not considered as medical measure. I am submitting to you another such shameful document. It bears the following identifying marks: "AS2F 2 482 N Commander of war prisoners camps. # 3142/42 Berlin, Schoeneberg, 20.7.1942, 51, Badensche Strasse". USSR 343 Feb. 14

How far the Hitlerite Conspirators have left behind the thesis: " A state can do everything which might be necessary to hold the war prisoners, but nothing more".

Merciless hard labor regime, continous conveyor of insults and tortures forced Soviet people tu such manifestation of despair, as attacks on camp guards armed to the teeths. We know about such really heroic acts. The testimonies of eye witnesses are in our hands. I am submitting to you personal testimony of the witnesse Lamp examined by you here and testimony of witnes Rical. It tells how at the beginning of February 1945, 800 war prisoners of Red Army interned in the extermination camp Mauthausen, escaped from the fascist hell, after having disarmed the guards and broken the barbed wire through which there passed electric current. Lamp testifies how brutally SS were treating those whom they could catch. I am quoting several lines: USSR 314 + 315

H5150 - 0090

"All those who returned to the camp were brutally tortured-Then we saw the escaped prisoners, who were being brought back to the block No. 20. They had been beaten and one was covered with blood. They were followed by 10 SS, amidst whom were 3 or 4 officers; they carried whips, and were laughing, giving the impression of enjoying the sight of the tortures they were going to inflict upon the three unfortunates. The courage of the insurgents and the cruelty of the repression will be everlastingly remembered by all the Mathausen inmates."

The fascist conspirators behaved with equal hatred to all Soviet natives. The slightest discussions arising amongst them, were always a method of anihilating their victims. Some strove to kill off war prisoners immediately; others considered it wise to use up their blood and strength in plants, factories, military undertakings, and the constructing of objects of military value.

Any long war is responsible for the shortage of labor in industry and agriculture. The fascist Germany solved this question by importing white, female and male slaves. The greatest number of them being composed by war prisoners. The war prisoners were sent to the heaviest labours, where they perished in great nembers from exhaustion, overwork, hunger, and brutal treatment.

I submit the document No. 1117-PS, and quote the following three paragraphs:

"In order to fulfill the Iron-Steel industry program, and to assure the demands of the coal industry, the Fuehrer issued the command, dated 7 July to utilise the war prisoner to this end."

H5150 - 0091

I am leaving out several sentences relating to the technique of this question and quote point two of this directive:

"2. All Soviet war prisoners taken since 5 July 1943 should be sent from the OKW camps to the General Plenipotentiary for the Utilization of Labor, in order that the latter might use them, in the first instance, in the coal mining industry".

Very important is the fourth point. It contains a directive on how to convert all men between the ages of 16 and 55 into prisoners-of-war. Quoting:

"4. All those between the ages of 16 and 55, captured in battles with the partisans in the operational area of the Army of the Eastern Commissariats, in the Government-General, and in the Balkans, are to be regarded prisoners-of-war. The same applies to men in the newly occupied districts of the East. They must be sent to the prisoners-of-war camps and thence to work in Germany".

The second document No. 744-PS, issued by the Chief of the OKW on 8 July 1943 repeats this directive. The document is signed by Keitel. In the text of the document signed by Keitel there is a post script. It is addressed to all the higher authorities of the SS and is signed by Himmler. The text of it was already made public on 20 December 1945. Therefore I shall here recall only the contents. It concerned transportation of the children, of the aged, and of the young women. Himmler indicates how and by what method they must be sent to Germany through Saukel's organization. In this case also, Himmler, Keitel and Saukel act in perfect accord, almost as one rather than three different persons.

USSR 354

I consider the document No. 022-PS to be of primary imprtance. It is a report on the Prison Camp in Minsk. The report was compiled in Rosenberg's office under the date of Berlin, 10 July 1941. I shall quote several excerpts therefrom:

"The prison camp in Minsk accomodates about 100,000 Prisoners of War and 40,000 civilian prisoners in a space of about the size of the Wilhelmplatz. The prisoners who are crowded together in this small space can hardly move and are therefore forced to relieve themselves at the very place where they stand. The camp is guarded by a detail of soldiers on active duty, of company strength. Due to the small strength of the guard detail, the watch over the camp can only be accomplished by applying most brutal force."

I omit one paragraph and read the next one, which expounds the same idea:

"The only possible language for the small guard detail, which is on duty day and night without any relief, is the firearm of which ruthless use is being made".

Next, the authors of this document complain about the impossibility to accomplish the selecting of the prisoners in the physical and racial respects for various hard labor tasks. On the second day after the beginning of such selection, this measure was forbidden.

"reference being made to an order of General Field Marshal Kluge, according to which he, himself, had only the right to release civilian prisoners."

H5150 - 0093

I shall read two documents demonstrating how the Hitlerites, in their hate of the Soviet People, considered the regime of beastial cruelty and systematic insults which they established for the Soviet prisoners-of-war, to be too mild and demanded that it be made still more severe.

On 29 January 1943 an order was issued on the "Rights of Self-defense Against the Prisoners-of-War", under the signature of the Chief of the OKH. This document bears the number 3868/42 and is registered by the USA Delegation as No. 696-PS.

USSR 355

I shall read a few short extracts from this document. It begins with the following statement:

"The military authorities and the authorities of the Nazi Party have on numerous occasions raised the question of the treatment of the prisoners-of-war, and they are of the opinion that the punishments made possible by the 1929 Agreement are insufficient".

This document explains that the former agreement regarding the treatment of all prisoners of war, other than those of Soviet nationality, remains in force. The order issued by the OKW Section for the Prisoner-of-War Affairs determines the treatment of these latter.

The second document is the circular of the Nazi Party Bureau submitted as No. 12/43s. This circular was issued by the Chief of the Party Bureau, at Fuehrer's main headquarters on 2 December 1943, and signed by Defendant Bormann.

The circular was sent out by the Reichsfuehrer to the Gauleiters and to the Commanding Officers of Military Units. It speaks of the secret order No. 3868/42s of the Chief of the General Staff, and thus it is once more proved, without any doubt, that the leaders of the Nazi Party and the Military Command bear equal responsibility for the ill-treatment of the Soviet Prisoners-of-War.

H5150 – 0094

The Navy Regulations with regard to prisoners-of-war remain in force for all but the Soviet prisoners. Quoting:

"The regulations of the OKW Section for Prisoners of War #389/42-c of 24-111-1942 are in force".

The second document, No. 696-PS, appears to be the same directive as that which is appended to the Party Circular 12/43-S, but it was sent out directly through the military channels.

We thus establish identify of both the criminal intent and of leadership between the Nazi Party and the OKW.

I stress this point and I remind you that all this happened in the country whose representatives already in 1902 declared:

"That the only purpose in taking prisoners of war is to prevent their taking further part in the war .... Although prisoners of war lose their freedom, they do no lose their rights. In other words, the taking of prisoners is no more considered an act of mercy on the part of the conquerors. It is the right of the disarmed."

We have at our disposal an official note signed by Lammers. This document is registered as # 073-PS, and states as follows:

"Prisoners of war are foreigners..... The influencing of them is, therefore, a part of the field of the Foreign politics and of the foreign propaganda which was transferred to the Foreign Minister of the Reich by the Fuehrer, and, therefore, is the affair of the Foreign Office ..... Aside from this ruling are the Soviet prisoners who were put under the Reichs Minister for the occupied regions in the East because the Geneva Convention is not valid for them and they are of a special political position..."

//wan. 361

USSR/356

In connection with this I here submit to you another document, also German, as Exibit # EC-388.

These notes were composed at the Headquarters of the Foreign Counter--espionage Office 15 November 1941 for the "OKW Chief-of-Staff". I will quote a few:

" The Geneva Convention regarding prisoners of war does not apply to Germany and USSR. Therefore in force are only the basic assumptions of International Law about dealings with prisoners of war. In the 18 century these latter shaped in the direction of the concert that military captivity represents neither revenge nor punishment, but is a security measure, whose only objective is the prevention of the prisoners of war further partipiting in the war. This basic assumption developed in connection with the prevelent in all armies opinion that, militarely, the killing or the crippling of the defenceless, is untenable. In addition to that each commanding officer is interested in the assurance that in case of capture his own soldiers be protected against ill-treatment.

The data of the Appendix I of the order concerning the treatment of Soviet prisoners of war, derive, as can be seen by the introductory phrases, from quite different assumptions..."

I shall omit several sentences and will quote the end of the paragraph:

"... that which experience has shown is practical militarily will henceforward also be considered compulsory and will extend to all for purposes of maintaining both the military discipline and the fighting ability of one's own troops."

H5150 - 0095

H5150 - 0096

The orders are very general. However, in view of the assumed basic orientation, it is clear that the measures permitted by these orders were bound to result in wanton murder even though officially wanton behaviour was prohibited.

The above, for example, is obvious from the rule regarding the use of the gun by the guards and their commanding officers on those recalcitrant prisoners whose language the guards could not understand; whether prisoner's disobedience came from recalcitrance or from misunderstanding, quite obviously can never be determined. The fact that the basic directive justified the use of arms against the Soviet war prisoners, as a rule freed the guards from having to explain their application."

Omitting two paragraphs, not directly relating to this matter, I proceed to the following:

" ... The organisation of the military police which is equipped with clubs, whips and similar weapons, even in camps where all labour is done by the prisoners, is against military rule and tradition. Besides, by this measure, the military anthorities are transferring into other hands the power of applying punishment without providing for the check-up as to how this power is used."

H5150 - 0097

I want to quote one more sentence, taken from paragraph 5 of these notes:

"Appendix II contains translation of the Russian Law regarding prisoners of war which is accord with the basic principles of International Law as well as with the rules of the Geneva Convention"

I will not quote the rest of the document as it is of little interest. This document is signed by the Chief of the Foreign Counter-Intelligence Service, Kanaris. It includes directives containing instructions on the treatment of the Soviet war prisoners, dwelling in detail on those parts which Kanaris considered violations of the basic principles of the International Law and of the Geneva Convention.

I would like to supplement this document with a few excerps from the record of the testimony by Dr. Wengler, formerly counsellor of the Foreign Juridical Section of the OKW. This document is USSR Exhibit No. 129. Wengler was questioned by me on December 19, 1945, and his testimony is important for purposes of evaluating the line of conduct of both the OKW, and of Keitel himself with regard to this subject.

Feb 14 No. 7

A. My name is Wengler, my given name is Wilhelm, and I was born in 1907 on 12 June.

Since autumn 1942 I served as contract counsellerfor the Foreign Juridical Section of the OKW (known by the code name "Abroad")

Q. Did you ever happen, witness, to come across any more cases concerning the treatment of the Soviet Prisoners-of-War by the OKW?

A. In the OKW it was known that while French, Belgian, and other prisoners-of-war were under the direct jurisdiction of Section on the prisoner-of-war affairs in the OKW, the camps for the Soviet prisoners-of-war were in the hands of the SS and the prisoners there were extremely ill-treated.

Q. Does the ill-treatment also mean the bad living conditions and food?

A. Not only bad food and bad living conditions but also exclusion from military jurisdiction, beatings, and so on.

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Q. Also tortures?

A. Generally inhuman treatment. I never could go into the details of this question, I was too disgusted.

Q. Was it a secret or was it widely known, particularly in the officers' circles?

A. It was supposed to be a secret, but in the officers' circles of the OKW it was generally known.

Q. Did the workers of the International Law Section understand that it constituted a crude breach of international law?

A. Yes; although in the relations between German and the Soviet Union the rules of the Geneva Convention were not recognized, nevertheless it was generally known that the Soviet war prisoners should be treated according to established international rules and regulations.

Q. Were there any steps taken by the International Law Section in order to improve the treatment of the Soviet prisoners-of-war?

A, Yes, I personally saw a copy of a memorandum written by our group and signed by Admiral Kanaris, addressed to the OKW Chief, Keitel, on this question.

Q. What did Kanaris write to Keitel?

A. This memorandum stated that, although since the beginning of the war, the High Command ordered the question of the war prisoners to be taken out from the Army Jurisdiction, it is unbelievable that the Army could be indifferent, from the/politcal point of view, to this situation and that the OKW Chief would not intercede with the Fuehrer for its improvement, as the public opinion in foreign countries will hold the army responsible

Q. Do you know Keitel's answer to this memorandum?

A. We never received any answer.

H5150 – 0099

Q. Is it possible to suppose that Keitel did not know of this letter; that it did not reach him?

A. Very definitely, it reached him.

Q. Then the absence of an answer can be interpreted as unwillingness to enter any discussion of the subject.

A. Keitel had no desire to discuss the subject.

Q. Would you like to add anything else?

A. Nothing except the fact that this episode caused us to give up all attempts to interfere in the question of the Soviet prisoner-of-war treatment, since in view of Keitel's attitude all such attempts had to be considered hopeless.

Q. Have I understood you correctly, witness, to mean that your section considered Keitel's position on the subject quite clear?

A. Completely clear.

Q. And that this position of Keitel amounted to a conscious violation of the accepted norms of international law with regard to the Soviet prisoners-of-war?

A. Correct. We had no doubts of the fact as Keitel is sufficiently well educated to understand that such treatment was contrary to the principle of international law."

In the light of the quoted documents and also in view of the protest of the German prisoners-of-war of Camp No. 78 which shows how humanely the Sovie authorities treated German Military-prisoners, the sentence from Appendix I of the Operations Order No. 14 of the SD Chief concerning treatment of Soviet prisoners-of-war, sounds like a shameless insult. This sentence can be found in paragraph 3 from below on p. 7 of the document which I submit to the Tribunal as USSR Exhibit No. 3[illegible], quoting:

"A bolshevik soldier has lost his right to be treated as honest soldier and in accordance with the rules of the Geneva Convention".

H5150 - 0100

I beg that the tribunal recollects that in the Appendix 2 of Order No. 11 of the General Staff of OKW, dated 7 November, 1941, there is the following directive (quoting from Paragraph B, which is the last one in the right column of p. 5, USSR Exhibit No. 3):

"On the sanction of the commanders of the rear areas (i.e. officers in charge of POW affairs in each district) the activity of the Sonder Command was to be conducted in a manner whereby infiltration would be practically unnoticeable while the liquidation would be fast and carried out at a distance from transient camps and transfer points which would keep both the population and the other prisoners-of-war unaware as to what was going on."

It's these trips of the prisoners "Somewhere nearby on a truck" that Kunze, the expert executioner, had in mind when he reported to his chiefs on "the incident which occurred during the exectuion of the 28 invalided POW's."

Among documents submitted to the Tribunal by the Soviet Delegation, there is data on the shooting at the Seelhorst Cemetery in Hanover of 150 Soviet prisoners-of-war and civilians. The data consists of the testimony of Peter Palnikov, a Red Army officer who happened to escape shooting and of the testimony of other persons who were questioned on oath by American investigators. The witnesses' testimony is corroborated by the medical report on the corpses exhumed from graves at the Seelhorst Cemetery. In addition we submit photographs, properly checked and accredited.

I shall not quote all these documents but will merely point out that the 167 corpses thus exhumed, in the concluding report of the Commission, were specially noted for marks of malnutrition to a very large degree.

H5150 - 0101

This circumstance must be stressed so that the Tribunal would have a completely clear picture of the food conditions of the Soviet prisoner-of-war in the different camps. Regardless of the occupied territory on which the camp was located, hunger was applied to all Soviet war prisoners with the same systematic cruelty.

While I am thus reporting on the Hitleri an atrocities with regard to the prisoners-of-war I find that there are now available several court verdicts pronounced over those fascist criminals who committed their crimes on territories which were temporarily occupied. In accordance with article 21 of the Protocol I submit to the Tribunal as USSR Exhibit No.87 the verdict of the district military tribunal. The verdict was pronounced in Smolensk, 19 December, 1945. Ten Hitlerites, directly guilty for the numerous crimes committed in the city & the district of Smolensk were condemned by the Tribunal to the various degrees of punishment, from 12 years of hard labor to death by hanging.

Tab. 14

I shall not quote the document but will merely mention that on pp. 4,5, & 6 of the verdict, in places marked in your copies, there is information on torture and death from blood-poisoning of the prisoners used for pseudo-scientific experiments by persons, who to the shame of German medicine, were called professors & doctors in Germany.

H5150 - 0102

The sentence gives evidence of systematic, mass shooting of PW's in the camp #126 of the city of Smolensk, in the "Dulag"-126-South" while the prisoners-of-war were transported from the camp into the hospital, The sentence underlines the fact that PW 's unable to do any work, through inanition, were shot.

Now I would like to turn to the brutalities committed by the Hitlerites towards the members of Czechoslovakian, Polish and Yugoslav armies. We find in the Indictment that one of the most important criminal acts for which the major war criminals are responsible, was the mass execution of Polish PW's, shot in the Katyn woods near Smolensk by the German fascist usurpers. I submit to the Tribunal as a proof of this crime, official documents of the Special Commission for the establishment and the investigation of the circumstances which attended the executions. The Commission acted in accordance with a directive of the Extraordinary State Commission. The Commission was composed of members of the Extraordianry State Commission, academicians Bourdenko, Alexis Tolstoy and Metropolitan Nicolas, the President of the Panslav Committee, Lt, General Goundorov, the Chairman of the Executive Committee of the Union of the Red Cross and Red Halfmoon, Kolesnikov, People's Commissar for Education in the RSFSR, Academecian Potemkin, the Supreme Chief of the Sanitary Medical Department of the Red Army, Colonel General Smirnov, and the Chairman of the District Executive Committee of Smolensk, Melnikov. The Commission also included several of the best known specialists as legal medical experts.

H5150 - 0103

It would take too long to read in detail the document which xx I now submit to you under #USSR-54. I will cite only a few excerpts from this document containing the result of investigation. We read on the second page:

"The legal medical experts give the number of bodies as 15,000. The legal medical experts carried out a thorough examination of the bodies, the documents and belongings found on the bodies in the graves. During the exhumation and examination of the corpses, the Commisson questioned many witnesses amongst the local inhabitants. Their testimonies permitted to determine the exact time and circumstances of the crimes committed by the German invaders".

Now I will submit to the Tribunal the general conclusions. You will find the quoted lines on page 43 of the document #USSR-54: Feb 14

"General conclusions. With all the material at the disposal of the Special Committee, that is - depositions of more than 100 witnesses, the results of the medico-legal expertize, the documents and the material evidence & belongings taken from the graves in the Katyn woods, we can arrive at the following definite conclusion:

1. The Polish PW's imprisoned in the three camps west of Smolensk and engaged in railway construction before the war, remained there after the occupation of Smolensk by Germans, up to September 1941.

2. In the autumn of 1941, the German occupation authorities carried out mass shootings in the Katyn woods of the Polish PWS from the above-mentioned camps.

3. Mass shootings of Polish Prisoners of War in Katyn Wood was carried out by a German military organisation disguised under the specific name "Staff 537, Engineer Battalion" commanded by Oberleutnant Arnes and his colleagues, Oberleutnant Rechts and Lt. Hott.

4. In connection with the deterioration, for Germany, of the general military and political set-up at the end of 1943, the German occupational powers, with a view to provoking the population, undertook a whole series of measures to ascribe their own atrocities to organizations of the Soviet authorities and thus create a quarrel between the Russians and the Poles.

5. For this purpose:

a. The German Fascist invaders, either by persuasion, attempts at bribery, threats and barbarous tortures, endeavored to find "witnesses" amongst the Soviet citizens, from whom they obtained false testimony, suggesting that the Polish Prisoners of War had been shot by organizations of the Soviet authorities in the Spring of 1940;

b. The German occupational authorities, in the Spring of 1943, brought from other places the bodies of Polish Prisoners of War, whom they had shot, and laid them in the uncovered graves of Katyn Wood with the dual purpose of covering up the traces of their own atrocities and of increasing the numbers of the "victims of Bolshevist atrocities in Katyn Wood";

c. While preparing their provocative measures, the German occupational authorities employed up to 500 Russian Prisoners of War for the task of digging up the graves in Katyn Wood, according to evidence and material proof of the matter. Once the graves had been dug, the Russian Prisoners of War were shot by the Germans.

6. The data of the legal and medical examination determined, without any possible doubt:

a. The time of the shooting - Autumn 1941;

b. The application, by the German executioners when shooting the Polish Prisoners of War, of the identical method - i.e. a pistol shot in the back of the neck, as used by them in the mass murders of Soviet citizens in other towns, especially in Orel., Voronezh, Krasnodar and in Smolensk itself.

H5150 - 0104

7. The conclusion arrived at, after studying the affidavits and legal-medical examinations concerning the shooting, by Germans, of Polish military Prisoners of War in the Autumn of 1941, fully confirmed the material evidence discovered in the Katyn graves;

8. By shooting the Polish Prisoners of War in the Katyn Wood, the German Fasist invaders consistently realized their policy of physically annihilating the Slav races."

Here follow the signatures of all the members of the Commission.

The Katyn massacres did not exhaust the Hitler crimes against the warriors of the Red Army. In the report of the Polish Government, submitted by us as No. USSR-93, we find a series of proofs of the breach of the elementary rules of International Law, in connection with the customs and laws of war, on page 36, considered as an outstanding point of the collected materials dealing with the ill-treatment of Prisoners of War and their annihilation. It is said in the report that :

"As and when the Polish officers and other ranks returned from the German Prisoner of War Camps, more and more details reached us concerning conditions prevailing in the German camps. All these details prove the existence of an unchangeable line of policy, of instructions and orders concerning Polish Prisoners of War. Ill-treatment, hardship and inhuman conditions were of common occurrence: murder and grievous bodily injuries were very often encountered. I submit herewith some examples, confirmed by witnesses under oath."

H5150 – 0106

I shall now read a few of the examples quoted in the Polish report.

As the first example, I shall quote the description of an event which took place in the temporary Prisoner of War Camp in the town of Bolsk:

"On 10 October, 1939, the Camp Commandant assembled all the Prisoners and ordered those who had joined the Polish Army as volunteers to raise their hands. Three Prisoners obeyed his order. They were immediately led ou of the rank and placed at a distance of 25 meters from a detachment of German soldiers armed with machine guns. The order was given to open fire. The Commandant then spoke to the remainin Prisoners and told them that the three volunteers had been shot as an example."

This is not a case of an ordinary murder of three defenseless Polish soldiers whose life, health and honor were in the keepin of the German Government. It is a case of downri ht insolent mockery of the secret feelin of patriotism, combined with a ecial desire to emphasize the fact that a man who had taken up arms at the call of his country was killed by a ruthless enemy drunk with victory and with the wish to suppress the feelin of his love for his native land by the fear of death.

I now proceed to the quotation of the second extract on page 37, count " ":

"In the Autumn of 1939, camp "Stalag VIII-C" was established in Counsy, nearSa an, on the river Bober - a tributary of the Oder. Depositions regardin this Camp are as follows:

"The Camp in Counsy was an open place, surrounded by barbed wire, with large tents, each holdin 100-200 persons. In spite of very cold weather (the temperature was under 25°-Celsius) there were, in December,1939 no heatin appliances in the Camp. Consequently some of the inmates had frozen hands, feet and ears. Since the Prisoners had no blankets and since their

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uniforms were too worn out to protect them from the cold, diseases broke out, whilst malnutrition resulted in extreme inanition. Moreover, the guards constantly illtreated the Prisoners. They were beaten on the slightest pretext. Two men were especially noted for their brutality: Lt. Schpicke and Sergeant-Major Grau. They struck the Prisoners in the face and beat them, thus breaking their ribs and arms, and gouging out their eyes".

Such inhuman treatment drove some soldiers to suicide and others to madness".

I think we can now pass on at once to the general conclusions and to quote, to this end, count "a" of page 39:

"The above mentioned treatment of Polish Prisoners of War by individuals, as well as by the German military authorities flagrantly violated the articles of the Geneva Convention of 1929, pages 2, 3, 9, 10, 11, 29, 30, 50 and 54. The Convention in question had been ratifie by Germany on the 21st of February, 1934".

Soldiers of the Yougoslav Army, taken prisoner by the German troops, were subjected to unbridled ill-treatment by the fascist invaders. Ill-treatment, torture and torment, together with mass executions were introduced as part of a system. Here too, the Hitler criminals were perfectly aware of what they were doing. To white-wash themselves, if only a little, in the eyes of the world, they referred to the officers and men of the Yougoslav Army as "Bandits", in all documents, concerning the destruction of Prisoners of War.

The second paragraph from the bottom of page 23 of the Official Yougoslav Report with regard to the above matter, read as follows (I quote page 23 of Document No. USSR-36/ :

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"....Everywhere where the Germans used the so-called actions against 'bands and bandits' as a pretext for the annihilation of the civilian population (women, children and old people), units of the Yugoslav national army of liberation and partisan units were actually involved....

Being under a military command and having recognisable military emblems, they conducted an armed struggle against the fascist occupation forces and in addition were fully recognised by all the Allies. Besides we will see later that in some of its documents, the German Command itself unmistakeably recognised this fact, but in its attitude towards the Yugoslav fighters it continued unrestrainedly to violate the principles of the international law of war".

As an additional confirmation of the report, the form of which accords with the requirements of article 21 of the Charter as to admissability of evidence, I submit to the Tribunal also document USSR-305 (Yu-38). This is an excerpt from the report by the Yugoslav State Commission concerning the determination of crimes committed by the occupation forces and their accomplices. The State Commission reports that there is at its disposal a secret report by Lieut.Gen. Roesslin, the commanding officer of 188 depot, Mountain Infantry Division, which had been given the number 9070/44. The report is of great importance because of the following considerations which I will explain to the Tribunal in the terms of document 305. I quote:

"Although the report refers to our divisions, brigades, and artillery battalions under their proper names and proper numbers - in cases of military engagements - all our army is called in this report however by the general name of "bandits", and for a very simple reason; by this they are attempting to divest us of the rights of a belligerent, to have the right to shoot prisoners of war, to kill the wounded and to have

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a pretext for employing repressive measures against the peaceful non-fighting population, allegedly because of their assistance to the "bandits".

Lieut-Gen. Hoesslin admits that the combat group of Col. Christel after " a night engagement with weak bandit forces" - and these are the exact words of the report - burnt down Laskovitz, Lazna, Lokva and Cepovan, and destroyed a hospital. In General Hoesslin report it is further stated that the division, together with the 3rd Brandenburg Regiment and other German and Police units, took part in "the man-hunt for bandits in the neighbourhood of Klan" (measure Ernst) - - - "

I submit to the Tribunal exhibit USSR - 132 (Yu - 67). This represents an excerpt from the directives by Major General Kuebler concerning the conduct of troops in action, an extract which was certified by the Yugoslav State Commission. I read these excerpts into the record:

" SECRET
118. Jaeg.Division
Abt. Ic
Br.B. Nr. 1416/43 secret
Div.Hqs., 12.5.1943
for the conduct of troops in action ...

2. Prisoners:
Anyone having participated openly in the fight against the German armed forces, and having been taken prisoner is to be shot after interrogation."

I further submit to the Tribunal exhibit USSR-304 (Yu-56).

This number has been given to the excerpt from memorandum No.6 of the Yugoslav State Commission for the determination of the crimes committed by the occupation forces and their accomplices.

In the last paragraph of document USSR-304 (page 2 of the Russian text) is stated as follows:

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"On 3.5.1945 the Germans brought from one of the partisan hospitals 35 fettered patients and hospital orderlies. Ten of the patients who could not walk were put against the wall and shot. Their bodies were piled up in a heap, covered with wood and set on fire."

As exhibit USSR-307 (Yu-73) I submit another extract from statement No.6 of the same state commission. This statement is found on pages 85-115 of the first book entitled "Memoranda on crimes committed by the occupation forces and their accomplices". I shall now proceed to quote a part of this extract: -

"On the 5 June 1944 Hitler's criminals captured two soldiers of the Yugoslav Liberation Army and the Slovene Partisan battalions. They brought them to Razori, where they cut off their notes and ears with bayonets, gouged out their eyes and then asked them if they could see their comrade Tito. Thereupon they called the peasants together and beheaded the two victims ... They then place the heads on a table ....."

In accordance with their usual practice of photographing the bodies of their victims, the fascists then took photographs, and, as further stated in the extract quoted by me, as follows:

"Later, in the course of the fighting, the photographs were found on a fallen German. From this it can be seen that they confirm the above described incident at Razori."

These pictures will be submitted to the Tribunal together with other Yugoslav photographic evidence.

Under No. 65/a, (Yu-69) I submit to the Tribunal an announcement signed by the Commander of the SS and police detachments of the 18th military district, SS Gruppenfuehrer and Police Lieut.Gen. Roesener. I shall now proceed to read into the record a part of this announcement. You will thus be able to see that the members of the Yugoslav military forces who were taken prisoner were either hanged or shot:-

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"In view of various encounters between police detachments and .....
18 bandits were shot recently and a large number were taken prisoner.

Of the prisoners, the following bandits were publicly hanged at Stein on 30 June 1942 ... ",

This statement is followed by the names of eight Yugoslav fighters aged from 21 to 40 years. On page 36 of our exhibit USSR-36 the first paragraph from the bottom reads: -

"We can find the same evidence in a collection of official notes on the staff conferences of the Gauleiter Uiberreither .... Thus, for example, the minutes of the conference held on 23 March 1944, contain the following:

".....Today in Maribor 15 bandits were killed...."

The minutes of July 27, 1942, contain the following:

"Several members of the bands were shot of lately".

The minutes of the Conference of December 21, 1942, contain a passage ....
"Since the beginning of the activities of the bands, in July 1941, the Security Police (Ordnungspolizei) killed on the spot 164 bandits, and 1,043 by special proceedings (im Sonderverfahren)."

The minutes of 25 January 1942, state:

"The number of the members of the band which were liquidated on January 8, 1943, by SIPO and Ordnungspolizei is 86, including wounded and prisoners, 77 of whom were killed."

Such notes can be found in almost every one of the minutes of these conference held by Uiberreither."

Part of the prisoners of war who escaped immediate annihilation, were moved into special camps where they were gradually destroyed by hunger and most axhausting work. I will nou read into the recard the last paragraph on page 37 of the report of the Yugoslaw Government, which was previously mentioned by me and offered in evidence as exhebit USSR-36.

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" One of such camps was established in the course of 1942 at Boten, near Rognan. Nearly 1.000 Yugoslav prisoners of war were brought into this camp and in the course of a few months all of them, to the last man, died of illness, hunger, physical torture, or direct murder. They were daily forced to do the hardest kind of work on a road and on some dams. The working hours were from dawn until 18 hours, under the worst climatic conditions in this northern part of Norway. In the course of their work, the prisoners were incessantly beaten, and in the camp itself were exposed to illtreatment of the worst kind.

Thus, for example, in August of 1942, the prisoners were ordered by the German staff of the camp to have all their hair from their arm-pits and aroun their genitalia removed, as otherwise, they will be shot. Not one prisoner received from the Germans any razors, though the Germans knew well that they had none. The prisoners spent the whole of the night pulling out their hair with their hands and assisting one another. However, in the morning the guards killed four prisoners and wounded three by rifle fire.

On November 26, 1943, German soldiers in the middle of the night broke into the ambulance and dragged out into the courtyard 80 sick prisoners: after they had to undress completely in the terrible cold, all were shot. On January 26, 1943, another 50 prisoners died in the worst imaginable pains because of beating. Throughout the winter, other prisoners were also killed in the following manner: They would be buried naked up to their waist, and water sprayed over them, so that statues of ice were made of them. It was established that 880 Yugoslav prisoners of war were killed in the above-mentioned camp in various similar ways."

Further on page 38 exhibit USSR-36 information is contained of the shooting of Yugoslav prisoners of war in the camp of Bajsfjord (Norway). After 10 July 1942 when an epidemic of typhus (spotted fever) broke out in that camp and spread to six more, the Germans found no other way of fighting this epidemic than a wholesale shorting of all the patients. This was done on 17 July 1942.

I. On the same page 38 there is a reference to a Norwegian report of 22 January 1940 which was composed on the basis of statements made by Norwegian guards of this camp, who fled, in which it is stated that out of 900 Jugoslav prisoners of war, 320 were shot,, while the remainder for the purpose of isolating them were transferred to another camp- Bjarfjel. I will reas into the record page 38 of exhibit USSR-36, beginning with the 5th paragraph from the bottom .....

"As the typhus epidemics broke out in the new camp as well, in the course of the following five to six weeks, an average of 12 men a day were shot. By the end of August 1942, 350 of these prisoners were returned to Bajsfjord, where German SS troops continued to annihilate them. In the end, only 200 men remained alive and were transferred to the camp osen. I will now read into the record an excerpt from page 39 exhibit USSR 36 beginning with the 3rd paragraph from the bottom:

"One June 22. 1943, a transport containing 900 Yugoslav prisoners arrived in Norway,. Most of them were intellestuals, and then workers and peasants, both prisoners from the ranks of the former Yugoslav Army or captured partisans or men seized as the so-called politically "suspicious elements". A part of them, about 400, were placed in the still unfinished camp at Korgen, while fthe other group of about 500 was sent ten to twenty kilometers further on to Osen. The Commandant of both camps simultaneously, from June 1942 until the end of March 1943, was the SS-Sturmbannfuehrer Dolps....

"Men were constantly dying of hunger. 45 men were placed in a hut which was normally to accomodate only 6 men.... There were no medicines ..... They were worked ... under most difficult conditions... on the road building, in the worst cold, without clothing and caps, naked, in the rain and winds, twelve hours a day everyday.

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The prisoners in the camp of Osen used to sleep in their shirts without any underpants .... without any cover whatsoever, on bare floors. DOLPS personally visited huts and carried out inspections. The prisoners who were caught sleeping in their underpants were killed on the spot by DOLPS with his submachine gun. He killed in the same manner all those who appeared on parados, which he took personally, in soiled underwear..... By the end of 1942, only 90 still remained alive of the first group of 400 in Korgen. Out of about 500 prisoners who were taken to the camp of Osen, by the end of June 1942, there were in March of 1943, only 30 men alive."

I will read into the record an excerpt from page 38 exhibit USSR-36 beginning with the 3rd paragraph from the bottom.

"Besides this terrible treatment of the captured fighters of the Yougoslav National Liberation Army and Partisan Detachments, the Germans treated also the prisoners of war from the ranks of the old Yougoslav Army competely contrary to the Geneva convention on the Treatment of the Prisoners of War, of 1929.

In April 1941, immediately after the occupation of the Yougoslav territory, the Germans took into captivity in Germany about 300,000 soldiers, non-commissioned officers, The Yougoslav State Commission has at its disposal numerous evidence of the unlawful illtreatment of these prisoners. We shall give here only a few examples.

On July 14, 1943, in the officers camp (Oflag) VI C at Osnabrueck, 740 captured Yougoslav officers were separated from the remainder and placed in a special punishment camp called Camp D. In this camp they were all crowded

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together in four huts; every cont ct with th r st of the camp was forbidden, and the treatment of these officers has been still more contrary to the provisions of the above-mentioned Convention, than the treatment of other prisoners. In this punishment-camp were placed all those whom the Germans considered to be supporters of the National Liberation Movement, and against whom they applied very fr quently various collective punishments.

The Germans even played with the ives of theprisoners and frequently out of pure whims fired shots on them. Thus, for example, at the aforesaid camp at Osnabrueck, on January 11, 1942, a German guard fired at a group of prisoners, severly wounding Capt. Pet er Nozinic. On July 26, 1942, a guard fired on a group of of icers. On September 2, 1942, a guard fired on Lt. Vladislav Vajs, who remained permanently incapacitated by the wound received. On September 22, 1942, a guard from the prison tower fired again on a group of fficers. On December 18, 1942, the guard fired on a group of of ficers, because from their huts they were looking at the English prisoners. On Feburay 20th, 1942, a guard fired on a Yugoslav officer, only because the officer was smoking. On March 11th, 1943, a guard fired a shot at the doors of a hut and killed General Dimitrije Pavlovic. On June 21, 1943, a guard fired at the Yugoslav Lt, Col. Branko Popadic. On April 26, 19444 the German non-commissioned officer RICHARDS fired on Lt. Vladislav Gajger, who subsequently died of the wounds received. On June 26, 1944, the German Captain KUNTZE fired on two Yugoslav officers, severely wounding Lt, Alekeandar Djordjevic. All these shootings were carried out without any serious reason or pretext, and/only as a result of cruel orders of the German camp commanders, who threatened that arms would be used even in case of most insignificant effences or even without this.

These are only examples from one single camp. But this was the treatment applied in all the remaining camps for the Yugoslav officers and soldiers prisoners of war in German hands."

A certain incident is described in the Czechoslovak geovernment report which I should like to mention here. Its improtance lies not in the fact that it throws a new light on the methods employed in fascist crimes, but that it took place at the time when the Hitlerites clearly realized that heir days were numbered. Thi incident is described in appenix 4 to the Czechoslovak Government's report and I shall describe it briefly in my own words. -

There was an airfield in Gavlichkov Ford at which various military installations were located, while the former lunatic asylum was used as an SS hospital. When the question arose regarding the formalities for the surrender of the German military units at the airfield, Lieutenant Captain Sula with one of his fellow officers betook himself to the airfield. Neither of them ever came back. Later, the airfield and the hospital were occupied ty the Czech National Units and an investigation was carried out. It showed that the parlamentaires, together with six other persons who previously disappeared at Gavlichkov For , were taken y the Germans to the SS hospital where they were subjected to cruel tortures. In the case of Captain Sula the Germans cut out his Tongue, gouged out his eyes and cut his chest open. The others suffered similar treatment. Most of them had their exual organs cut away.

I am in possession of photographic evidence in support of this which I am submitting to the Tribunal. "

My presentation has lasted several hours. Surely, neither time nor all the words of living human speech will suffice to describe even a thousandth part of the sufferings borne by the fighters of my country and those of other democratic countries

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who had the misfortune to fall into the hands of the Fascist hangmen.

I have only been able to show to the Tribunal in the most succist manner the way in which the cannibalistic Faschist directives regarding the illtreatment of prisoners of war and their mass exterminations were carried out, before which all the horrors of the Middle Ages pale.

We shall attempt here to fill in the gap. Tens of thousands of witnesses will pass before you. They have been called to the Tribunal to testify in this case. I cannot call them by name and you will not administer an oath to them, yet their evidence cannot be disbelieved because the dead never lie. Most of the films regarding German atrocities which will be presented by the Soviet prosecution relate to crimes against prisoners of war. The silent testimony of those burnt alive in hospitals, hose mutilated beyond recognition, be torture, those starved to death will, I am sure, be stronger than any of my words.

The victims of Rostov and Kharkov the martyrs fo Auschwitz and of the other camps of extermination created by the Hitlerites-the hands of the accused are dipped in their blood.

The enemy perfidiously attacked our country. The people rose in arms to defend their motherland, her freedom, her independence, the honour and the life of their families. They joined the ranks of the fighters, and lo, they fell into the hands of the enemy. See how the enemy mocked when they no longer had arms to defend themselves.

Now then for the martyrs of the indescribable atrocities which the Tribunal itself will see, and for the many others, which probably no one ever will know, let the major perpetrators of the Fascist abominations, these major war criminals, answer in accordance with sternness of the law of international justice.

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